F R O M T H E T A B L E

NO.	ITEM	PAGE
	Meeting No. 1 January 2, 1990	
2	Appointments to Cheektowaga Traffic Safety Commission	1

RESOLUTIONS

NO.	ITEM	PAGE
	Meeting No. 1 January 2, 1990	
3	DESIGNATION OF:	
	a. Town Board Meeting Dates	1
	b. Town Board Work Session Dates	2
4	Supervisor's Facsimile signature	3
5	Name official Town Depositors	3
6	Designate official Town Holidays	3-4
7	SET SALARIES OF:	
	a. Town officials	4
	b. Non-union personnel	4-5
8	Reappointment of Bingo Inspectors	5-6
9	RETAIN FIRM FOR:	
	a. Services of annual audit, consultive services and budget preparation	6-7
	b. Risk Management and Insurance Consultant	7
10	RENEWAL OF:	
	a. Worker's Compensation self-insurance claims administration	8
	b. Renewal of Excess Worker's Compensation Insurance	8
11	AUTHORIZE SUPERVISOR TO SIGN AGREEMENT REGARDING:	
	a. Nutrition Program for elderly	8-9
	b. Establishing Real Property System Consortium of Erie County Governments	9
12	Authorize Receiver of Taxes and Assessments to invest Town real property tax moneys	9-10
13	Presentation of grant to Meals on Wheels	
14	Closing of certain capital projects	10-11
15	Award of Bid: Purchase of Lighting supplies for fiscal years 1990, 1991 and 1992	11-12
16	Authorize Town Clerk to notify employee regarding Residency Law	13
17	Reappointment of member to Cheektowaga Library Board	14
18	Leave of Absence - Clerk to Justice Court	14
19	TERMINATION OF PART_TIME/SEASONAL EMPLOYEES IN:	
	a. Council Office	14
	b. Main Pump Station	14-15
20	Hiring Part-time/seasonal employees in Various Departments	15
21	Hiring Seasonal employees in Various Departments	15-16
22	Hiring Program Coordinator in Youth Bureau	16-17
23	Warrant List	17
	Meeting No. 2 January 15, 1990	
2	Designation of official Town newspaper	1
3	AUTHORIZE SUPERVISOR TO SIGN AGREEMENTS WITH:	
	a. Scaffidi & Moore regarding Phase II development of Alexander Avenue Community Center	1-2
	b. Nussbaumer & Clarke regarding general technical services	2
	c. Village of Depew	2-3
	d. Support Services, Inc.	4

NO.	ITEM	PAGE
	Meeting No. 2 January 15, 1990 cont'd	
4	CALL FOR PUBLIC HEARINGS:	
	a. Proposed Local Law No. 1 of Year 1990 entitled "A Local Law for Collection of Garbage, Rubbish and Refuse"	4-5
	b. Special Use Permit - 1989 Harlem Road	6
	c. Rezoning - 2605 Harlem Road	7
	d. Rezoning - 81 Rachelle Drive	8
5	AWARD OF BIDS:	
	a. Baseball and football equipment	9
	b. Remodeling of Delavan Pump Station	10
	c. Four (4) flail mowers for Facilities	11
	d. Video Camera tractor unit	11
6	NOTICE TO BIDDERS:	
	a. Athletic White Stripe	12
	b. Leasing and Servicing of Portable Chemical Toilets	13
	c. Pool Maintenance Chemicals	14
	d. Softball and Hardball Diamond supplies	15
	e. Phase II development of Alexander Avenue Community Center	16-17
7	Affirmation of recommendation of Environmental Advisory Committee regarding 4796 Transit Road	18
8	Authorize Town Clerk to issue Ambulance Driver License(s)	19
9	Consolidation of Sanitation Department and Recycling Department into Sanitation/Recycling Department	20
10	ESTABLISH SALARIES:	
	a. of employees not covered by any bargaining agreement unit	20
	b. Clerk-Steno(s) in Council Office and Office of Coordinator of Employee Relations	20-21
11	Abolish position of Recycling Coordinator in Sanitation/Recycling Department	21
12	Termination of Coordinator of Employee Relations	21
13	APPOINTMENTS:	
	a. Chief of Police	21-22
	b. Assistant Chief of Police	22
	c. Two (2) positions of Assistant Working Foreman in Sanitation	23-24
	d. Traffic Safety Commission	24
	e. Bingo Inspectors	24
14	Reappointment of Planning Board Chairman	23-24
15	Hiring of part-time employees in various departments	24
16	Hiring of Clerk in Youth Bureau - Administrative Intern Program	24
17	Agreement between Town and Chief of Police and Assistant Chief of Police	24-25
18	AUTHORIZATION TO ATTEND SEMINARS, ETC:	
	a. Association of Towns Convention	25
	b. Town Housing Inspectors	25-26
19	Warrant List	26
	Meeting No. 3 February 5, 1990	
2	Decision on Town Ordinance: Art. VIII. "Stop & Yield Intersection" - Ellen Dr.; Art. X "Parking, Standing & Stopping" - Peachtree Rd., Pine Ridge Ter.	1-2
3	Call for Public Hearing: Community Development Block Grant Funds for 1990-91 Program Year	3-4
4	AWARD OF BID:	
	a. Phase II development of Alexander Avenue Community Center	5
	b. Furnishing of Work Uniforms	6

NO.	ITEM	PAGE
	Meeting No. 3 February 5, 1990 cont'd	
5	NOTICE TO BIDDERS:	
	a. Furnishing equipment and operators for Public Works Projects	7
	b. Modular office furniture for various departments	8
	c. Corrugated metal pipe and reinforced concrete pipe	9
	d. Furnishing of chemical fertilizers and herbicides	10
	e. Topsoil for 1990 season	11
	f. Planing and texturizing existing pavements	12
6	Change Order for Alexander Community Center	13
7	Rescind & amend resolutions pertaining to Buell Avenue and direct Superintendent of Highways to erect appropriate barrier on Buell Ave.	14-16
8	AUTHORIZE SUPERVISOR TO EXECUTE:	
	a. Agreement with Public Safety Dispatchers Association	8
	b. Addendum to Agreement with Chief of Police and Assistant Chief of Police	17
	c. Contract for purchase of property	18
	d. Grant application for town records	19
	e. Application/agreement with N.Y.S. Office of Parks, Recreation & Historical Preservation	19
9	Direct Town Clerk to execute Home Rule Request forms to N.Y.S. Assembly and Senate	19-20
10	Establish permit fees for picnic shelters in Town Parks	20
11	Affirm recommendations of SEQR regarding 999 Aero Drive	20-21
12	Memorialize State Legislature & D.O.T. to initiate planning and design studies along Transit Rd. between Como Park Blvd. and NY 187	22
13	Authorize WNY Chapter of March of Dimes to conduct Walk-a-thon	22-23
14	Recognition of 50th Anniversary of N.Y.S. Recreation & Parks Society, Inc.	24
15	Authorize purchase of seven police vehicles	24
16	RETAIN FIRM:	
	a. Appeal "Los-Green Inc." lawsuit	25
	b. Reinstein Memorial Library renovations	25
17	APPOINTMENTS:	
	a. Chief Accountant	25-26
	b. Temporary MEO-B Utility Drivers in Sanitation	26
	c. Cheektowaga Economic Development Corp.	26
18	Termination of Seasonal/part-time employees in Sanitation Department	26
19	Hiring seasonal employees in Various Departments	27
20	AUTHORIZE EMPLOYEES TO ATTEND MEETING/COURSE	
	a. Police Captain	27
	b. Executive Director of Youth Bureau	27-28
21	Creation and appointment to position of Accountant and abolishment of position of Junior Accountant	28
22	Transfer of Funds	28-29
23	Warrant List	29
	Meeting No. 4 February 26, 1990	
2	DECISIONS:	
	a. Special Use Permit - 1989 Harlem Road	1
	b. Rezoning - 2605 Harlem Road	1-4
	c. Rezoning - 81 Rachelle Drive	5

NO.	ITEM	PAGE
	Meeting No. 4 February 26, 1990 cont'd	
3	CALL FOR PUBLIC HEARINGS:	
	a. Rezoning - Walden Avenue (north & south sides)	6
	b. Rezoning - 1042 Losson Road	7
	c. Proposed Local Law #2 "A Local Law to amend Local Law for Fees for Certain Town Records	8
	d. Proposed Local Law #3 "A Local Law to amend Local Law relating to vehicles, Removal & Storage	9-10
	e. Rezoning - 219 Bennett Road	11
4	AWARD OF BIDS:	
	a. Athletic White Stripe	12
	b. Chemical fertilizers & herbicides	12-13
	c. Pool Maintenance Chemicals	14
	d. Leasing & servicing of Portable Chemical Toilets	14
	e. Furnishing of equipment and operators for Public Works Projects	14-15
	f. Softball and Hardball Diamond supplies	16
5	NOTICE TO BIDDERS:	
	a. Furnishing & installation of one shelter & various playground equipment	16-17
	b. Traffic control signs, street name signs & brackets	18
6	AUTHORIZE SUPERVISOR TO EXECUTE/SIGN:	
	a. Documents regarding grant to N.Y.S. Council on the Arts	19
	b. Grant application to National Endowments for the Arts	19
	c. Documents regarding grant to N.Y.S. Department of Labor	19-20
	d. Application for NAEIR (National Association for the Exchange of Industrial Resources) membership	20
	e. Documents regarding various grants to N.Y.S. Department of Labor	21
7	Authorize Town Clerk to issue ambulance driver/attendant licenses	21
8	Establish fees for services provided by Police Department	22
9	Settlement of Housing Rehab Loan	22
10	Authorize Buffalo AFL-CIO to conduct Labor Day Parade	22-23
11	Request Governor, by amendment, to reappropriate funding for recycling	23
12	ACCEPTANCE OF:	
	a. Drainage easement regarding property at 305 Chapel Avenue	23-24
	b. Sanitary Sewer easement regarding vacant property on east side of The Avenue	24
	c. Negative Declaration for Comfort Suites Hotel	24
13	Accept retirement of Patrolman	24
14	Acceptance resignation of Outreach Worker (Senior Services)	25
15	Termination of seasonal/part-time employee in Facilities Department	25
16	Return temporary Motor Equipment Operator to Laborer position in Sanitation Department	25
17	Establish salaries of part-time/seasonal employees in various departments	25-26
18	APPOINTMENTS:	
	a. Accountant	26
	b. Outreach Worker (Senior Services)	26
	c. Working Foreman in Facilities	27
19	Hiring of seasonal employee(s) in Facilities	27
20	Hiring of part-time employee(s) in Facilities	27
21	AUTHORIZATION TO ATTEND CONFERENCE:	
	a. Sanitation Committee	27-28
	b. Fire Inspector	28

NO.	ITEM	PAGE
	Meeting No. 4 February 26, 1990 cont'd	
22	Authorize Niagara Mohawk to install light on Stratford Place	28-29
23	AUTHORIZE PAYMENT: a. Niagara Mohawk for equipment removal costs b. N.Y.S. DEC	 29 29
24	Restore outstanding checks to cash	29-30
25	Transfer of Funds	30-31
26	Warrant List	31

DEPARTMENTAL COMMUNICATIONS

NO.	ITEM	PAGE
	Meeting No. 1 January 2, 1990	
24	Supervisor's Statement of Funds/October, 1989	17
25	Building Permits	17
26	MINUTES OF:	
	a. Cheektowaga Library Board/November, 1989	17
	b. Cheektowaga Traffic Safety Commission/December, 1989	17
	Meeting No. 2 January 15, 1990	
20	Supervisor's Statement of Funds - November 1989	26
21	Office of Disaster Preparedness-Quarterly report - October to December 1989	26
22	Planning Board - minutes of December meeting	26
	Meeting No. 3 February 5, 1990	
24	Building Permits	30
25	ANNUAL REPORTS:	
	a. Receiver of Taxes & Assessments	30
	b. Justice Court	30
26	MINUTES OF:	
	a. Cheektowaga Traffic Safety Commission: January, 1990	30
	b. Cheektowaga Public Library: December, 1989	30
	Meeting No. 4 February 26, 1990	
27	Annual report of fees - Town Clerk's Office	31
28	MINUTES OF JANUARY MEETINGS:	
	a. Library Board	31
	b. Planning Board	31

GENERAL COMMUNICATIONS

NO.	ITEM	PAGE
	Meeting No. 2 January 15, 1990	
23	*N.Y.S. Dept. of Trans. - Notice of Order - Intersection of Route 78 and N. Transithill Drive*	26
24	*Notice of Claim - Dell Jones vs Town of Cheektowaga*	27
	Meeting No. 3 February 5, 1990	
27	*NOTICE OF CLAIM:*	
	a. Maria Miller vs. Town of Cheektowaga	30
	b. John C. Catanzaro vs. Town of Cheektowaga	30
	c. Nichles & Karen Derion vs. Town of Cheektowaga	30
	d. Kathrine L. Ritenour vs. Town of Cheektowaga	30
	e. David F. Schenback vs. Town of Cheektowaga	30
28	*NFTA: Negative Declaration for Acquisition of Buffalo Airport Center and demolition of acquired property*	30
29	*NYSDOT: Notice of Order - 45 MPH limit on Rt. 20/78 south of Como Park Blvd. to Leydecker Road*	31
	Meeting No. 4 February 26, 1990	
29	*Summons & Complaint - Gerald Papiernick Jr. as guardian of Jennifer Papiernick vs Town of Cheektowaga*	32
30	*NOTICES OF CLAIM:*	
	a. Stuart Weinstein vs Town of Cheektowaga	32
	b. Danny Dahn vs Town of Cheektowaga	32
	c. Jane Drysdale vs Town of Cheektowaga	32
31	*PETITIONS:*	
	a. Residents of Williamstowne Senior Citizens Apartments regarding proposed Local Law regarding Garbage Collection	32
	b. Residents of Pendennis Drive regarding parking on their street	32

SUSPENSION OF RULES

NO.	ITEM	PAGE
	Meeting No. 1 January 2, 1990	
27	Reappointment of Town Engineer	18
28	Reappointment of Town Attorney	18
	Meeting No. 2 January 15, 1990	
25	Authorization to sign agreement to spend Town Highway Funds	27-28
	Meeting No. 3 February 5, 1990	
30	Acceptance of retirement letter from Police Captain Kempski	31
	Meeting No. 4 February 26, 1990	
32	Resignation of Police Officer	32-33
33	Authorize Supervisro to execute all agreements regarding Polish-American Arts Festival	33
34	Approval of site plan for 794 French Road	33

MEETING NO. 1
January 2, 1990

Item No. 1 At a meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of January, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Robert M. Lis, Chief of Police; Terry Rusin, Chief Accountant; Casimir A. Kozminski, Assessor; Ron Marten, Building & Plumbing Inspector; Don Wegner, Chairman of Zoning Board of Appeals.

I. FROM THE TABLE

Item No. 2 Appointment to Traffic Safety Commission.
This item failed due to lack of motion.

II. RESOLUTIONS

Item No. 3a Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED, that the regular Town Board Meetings of the Town of Cheektowaga for the calendar year 1990 shall be held at 7:30 P.M. in the Council Chamber of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

First Tuesday and Third Monday of January, First and Third Monday of March, April, May, June, July, August, October, November and December

February 5th and 26th
September 4th and 17th

AND BE IT FURTHER RESOLVED, that such meetings shall begin with the public comment period of 15 minutes duration maximum, and the meetings proper will begin immediately thereafter.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 JAN 11 1990 ; last publication JAN 11 1990 ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 11 1990

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

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1991

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of January, 1990 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski

Councilman Jacqueline A. Blachowski
ABSENT: 0
Motion by: Councilman Rogowski
Seconded by Councilman Gabryszak

BE IT RESOLVED, that the regular Town Board Meetings of the Town of Cheektowaga for the calendar year 1990 shall be held at 7:30 P.M. in the Council Chamber of the Town Hall, at Broadway and Union Road, Cheektowaga, New York on the following referenced dates:

First Tuesday and Third Monday of January, First and Third Monday of March, April, May, June, July, August, October November and December
February 5th and 26th
September 4th and 17th
and BE IT FURTHER RESOLVED, that such meetings shall begin with the public comment period of 15 minutes duration maximum, and the meetings proper will begin immediately thereafter.

Upon roll call...
Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski Voting AYE
AYES: 7
NAYES: 0
ABSENT: 0

PUBLISH: January 11, 1990

Item No. 3b Motion by Councilman Gabryszak Seconded by Councilman Blachowski

BE IT RESOLVED, that the Town Board shall hold work sessions in the calendar year 1990 at 5:30 P.M. on Thursdays preceeding the regularly scheduled Town Board meetings,

said work sessions to be held in the Council Office, Town Hall, Cheektowaga, New York.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 JAN 11 1990; last publication JAN 11 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 11 1990

day of , 19

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 19 9

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of January, 1990 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
ABSENT: 0

Motion by: Councilman Gabryszak
Seconded by Councilman Blachowski

BE IT RESOLVED, that the Town Board shall hold work sessions in the calendar year 1990 at 5:30 P.M. on Thursdays preceeding the regularly scheduled Town Board meetings,

said work sessions to be held in the Council Office, Town Hall, Cheektowaga York.

Upon roll call...
Supervisor Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski Voting AYE
AYES: 7
NAYES: 0
ABSENT: 0
PUBLISH: January 11, 1990

Item No. 4 Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

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

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Solecki Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following banking institutions be named official Town Depositors for the year 1990:

Marine Midland Bank N.A. (Cheektowaga Office)
Manufacturers and Traders Trust Company (Airport Plaza)
Key Bank (Como Mall and Union Road)
Norstar Bank, N.A. (Harlem Road Office)
Chase Lincoln First (Depew Office)
Citibank

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0
ABSTAINED: Councilman Gabryszak

Item No. 6 Motion by Councilman Blachowski Seconded by Supervisor Swiatek

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 1990:

New Year's Day	January 1, 1990	(Monday)
Day After New Year's	January 2, 1990	(Tuesday)
Washington's Birthday	February 19, 1990	(Monday)
Good Friday	April 13, 1990	(Friday)
Memorial Day	May 28, 1990	(Monday)
Independence Day	July 4, 1990	(Wednesday)
Labor Day	September 3, 1990	(Monday)
Columbus Day	October 8 1990	(Monday)
Election Day	November 6, 1990	(Tuesday)
Veteran Day	November 12, 1990	(Monday)
Thanksgiving Day	November 22, 2990	(Thursday)
Day After Thanksgiving	November 23, 1990	(Friday)
Christmas Eve	December 24, 1990	(Monday)
Christmas Day	December 15, 1990	(Tuesday)

Item No. 6 continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7a Motion by Councilman Blachowski Seconded by Supervisor Swiatek

BE IT RESOLVED, that the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 1990;

Supervisor	~~$58,877.~~ $51,877.00
Councilman (6)	$16,830.
Receiver of Taxes	$36,899.
Town Clerk	$41,095.
Highway Superintendent	$47,267.
Town Justice	$37,327.
Budget Director	$ 5,000.

Corrected 12/11/90 RM Town Clerk

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7b Motion by Councilman Rogowski Seconded by Councilman Gabryszak

RESOLVED, that the salaries of the following Town Officials and employees are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1990:

Town Attorney	$39,682.
Deputy Town Attorney	27,007.
Prosecuting Attorney	22,515.
Town Engineer	54,243.
Chief Accountant	38,325.
Junior Accountant	31,925.
Supervising Bldg. & Plmb. Inspector	43,343.
Assessor	40,863.
Real Property Appraiser	35,840.
Executive Director - Youth	37,497.
Program Coordinator	26,250.
Director of Recreation	35,434.
Coordinator of Employee Relations	37,030.
Assistant Town Engineer	43,824.
Secretary Coordinator of Employee Relations	22,008.
Senior Recreation Supervisor	26,156.
Clerk to Justice Court	26,362.
Director of Community Development	35,580.
Council Secretary	26,374.
Secretary to Supervisor	26,374.
Deputy Receiver of Taxes	25,141.
First Deputy Town Clerk	27,947.
Second Deputy Town Clerk	26,338.
Working Crew Chief-Sanitation	37,680.
Senior Citizens Director	31,545.
Deputy Highway Superintendent	41,878.
Employment & Training Director	43,744.

* *

MOTION BY COUNCILMAN KULYK AND SECONDED BY COUNCILMAN JAWOROWICZ TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Item No. 7b continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AMENDED

Motion by Councilman Rogowski seconded by Councilman Gabryszak

RESOLVED, that the salaries of the following Town Officials and employees are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1990:

Town Attorney	$39,682.
Deputy Town Attorney	27,007.
Prosecuting Attorney	22,515.
Town Engineer	54,243.
Chief Accountant	38,325.
Junior Accountant	31,925.
Supervising Bldg. & Plmb. Inspector	43,343.
Assessor	40,863.
Real Property Appraiser	35,840.
Executive Director - Youth	37,497.
Program Coordinator	26,250.
Director of Recreation	35,434.
Coordinator of Employee Relations	37,030.
Assistant Town Engineer	43,824.
Secretary Coordinator of Employee Relations	22,008.
Senior Recreation Supervisor	26,156.
Clerk to Justice Court	26,362.
Director of Community Development	35,580.
Council Secretary	26,374.
Secretary to Supervisor	26,374.
Deputy Receiver of Taxes	25,141.
First Deputy Town Clerk	27,947.
Second Deputy Town Clerk	26,338.
Working Crew Chief-Sanitation	37,680.
Senior Citizens Director	31,545.
Deputy Highway Superintendent	41,878.
Employment & Training Director	43,744.

BE IT FURTHER RESOLVED THAT THE SALARIES OF THE DIRECTOR OF RECREATION AND COORDINATOR OF EMPLOYEE RELATIONS REMAIN AT THE 1989 LEVELS UNTIL SUCH TIME THAT THE INCUMBENTS DEMONSTRATE COMPLIANCE WITH THE TOWN'S RESIDENCY LAW TO THE SATISFACTION OF THIS TOWN BOARD.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are reappointed as Town Bingo Inspectors, effective January 1, 1990 for a term of one year:

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

Item No. 8 continued

and BE IT FURTHER RESOLVED, that Alexander Mazgajewski of Cheektowaga, New York be and hereby is appointed Bingo Inspector Chairman, effective January 1, 1990 for a term of one year. The cost shall be charged to account #01.3120.0001.1571.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9a Motion by Supervisor Swiatek Seconded by Councilman Solecki

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

A. Annual Audit - A complete certified audit of the Town's records will be performed to include:
   a. Preparation of the Annual Financial Report to the New York Department of Audit and Control.
   b. Preparation of audit report on regular Town Audit.
   c. Preparation of management letter relative to regular audit.
   d. Newly required compliance audit of major Federal programs in conformity with "Single Audit Act".

B. Consultive Service - Periodic consultation will be provided to the Supervisor, and the Town Accountant on areas such as: Federal Revenue Sharing, State Revenue Sharing, Borrowings, Legislative Developments and other areas as requested.

C. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and the Town Accountant in various phases of the preparation of the 1991 benefit basis budget.

D. Mid-Year Review and Forecast - The firm will provide reviewed financial statements of the Town operating funds as of June 30, 1990 and also a compilation forecast for those funds through December 31, 1990.

E. Ad Valorem Budget Consultation - Additionally, the firm will review the 1991 tenative Ad Valorem Budget and meet with the Town Board to report as to our observations and recommendations on that document. They will provide any additional budgetary consulting services as requested at that time.

F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets.

G. Preparations of the Comprehensive Annual Financial Report to be submitted to the Government Finance Officer's Association.

H. Preparation of Budget Presentation Document to be Submitted to the Government Finance Officer's Association,

and

WHEREAS, the Town Board desires to retain the services of Deloitte & Touche, CPAs for those services, NOW, THEREFORE, BE IT

RESOLVED that Deloitte & Touche be retained to perform the services listed above for the year 1990 according to the following fee schedule:

$34,250.00	General Fund	Acct. #01-1320-0004-4506
$15,750.00	Sanitary Sewer Dist.#3	Acct. #23-8123-0004-4506
$26,250.00	Sanitary Sewer Dist.#5	Acct. #25-8125-0004-4506

Item No. 9a continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9b Motion by Councilman Solecki Seconded by Councilman Jaworowicz

WHEREAS, Ernest H. Holfoth has submitted a proposal to the Town for the provision of risk management and insurance-related services for 1990 for $21,000.00, and

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

WHEREAS, this Board desires to continue to retain Mr. Holfoth's services in 1990, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Consulting Agreement with Ernest A. Holfoth for the calendar year 1990. The cost shall be charged to account #10.1710.0004.4521.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGES FOR CONSULTING AGREEMENT

ERNEST A. HOLFOTH RISK MANAGEMENT

MUNICIPAL AND CORPORATE RISK MANAGEMENT
GENERAL AND LIFE INSURANCE CONSULTANT

4947 LAKE SHORE ROAD
HAMBURG, NEW YORK 14075

TELEPHONE (716) 627-5828

November 24, 1989

CONSULTING AGREEMENT

CLIENT: Town of Cheektowaga

ADDRESS: Broadway & Union Roads, Cheektowaga, New York 14227

Ernest A Holfoth Risk Management, CONSULTANT, agrees to provide to CLIENT the Risk Management and General Insurance Consulting Services described below:

Effective From: January 1, 1990 to December 31, 1990

For a fee of: $21,000 annually payable $1,750 monthly plus actual expenses incurred at the request of the CLIENT. Travel time is chargeable.

SPECIFIED SERVICES: General Supervision of CLIENT's Risk Management and General Insurance Program including remarketing of insurance and self-insurance services, if desired, and counsel on insurance and risk management related matters.

INSPECTIONS: Neither the right to make inspections, nor making inspections, nor any advice resulting from inspections are an undertaking on behalf of or for the benefit of the CLIENT or others to determine or warrant that its property or operations are safe, healthful, or are in compliance with any law, rule, or regulation.

This Agreement may be ended by either party by giving at least 30 days written notice to the other.

Ernest A. Holfoth, CPCU, ARM

Accepted by Frank E Smith Supervisor 1-8-90
Name Title Date

seb:f/CH114824

TOWN CLERK
CHEEKTOWAGA
1990 JAN 11 PM 4:25
RECEIVED

Item No. 10a Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, Fred S. James and Co. has submitted a proposal for their contract for claims administration under the Town's established self-insurance workers' compensation program, and

WHEREAS, Fred S. James and Co., will provide such claims administrative services for a flat fee of $23,000.00 for one year, commencing January 1, 1990, and

WHEREAS, the Town's insurance consultant has evaluated the proposed continuation of the aforementioned contract with Fred S. James and Co., and has recommended that same be accepted by the Town,

NOW, THEREFORE, BE IT RESOLVED, THAT THE Town hereby accepts the aforementioned proposal made by Fred S. James and Co., and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized and directed to execute a workers' compensation self-insurance claims administration services contract with Fred S. James and Co., and

BE IT FURTHER RESOLVED, that Fred S. James and Co. include quarterly loss control visits for an additional $1,750.00 in 1990. The cost shall be charged to account #10.1710.0004.4523.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10b Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, the Town and its consultant have reviewed and evaluated proposals for renewal of its Excess Workers Compensation insurance to be effective from 1/1/90 to 1/1/91, and

WHEREAS, the lowest cost proposal of Transamerica Insurance Company (Best rated A-XI) from Arthur J. Gallagher & Co. is recommended by the Town's consultant, NOW, THEREFORE, BE IT

RESOLVED that the Town accepts the proposed Transamerica Excess Workers Compensation insurance with limits of $5,000,000. Workers Compensation; $1,000,000. Employers Liability and $5,000,000. combined total subject to a $300,000. combines self-insured retention at a rate of .2184 per $100. of payroll and estimated annual premium of $37,500. The cost shall be charged to account #10.1722.0004.4519.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 11a Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at:

St. John Gualbert, 83 Gualbert
Maryvale Presbyterian, 425 Maryvale Drive
Cayuga Village Complex, 100 Hutchens Drive
Our Lady of Czestochowa, 23 Willowlawn Parkway
Infant of Prague, 921 Cleveland Drive

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

Item No. 11a continued

the year 1990, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Cheektowaga hereby is authorized to sign the said agreement on behalf of the Town of Cheektowaga. Account #01-7620-0004-4192.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 11b Motion by Supervisor Swiatek Seconded by Councilman Kulyk

WHEREAS, by agreement dated September 27, 1984, the Town of Cheektowaga became a member of the Reassessment Consortium of Erie County Governments, and

WHEREAS, such consortium was created for the purpose of operating, maintaining and utilizing a County-wide reassessment program to provide current and reliable full market values throughout the County, and

WHEREAS, the Reassessment Consortium of Erie County Governments agreement expired on December 31, 1989, and

WHEREAS, an agreement to continue and update assessments has been proposed for the years 1990-1994, and

WHEREAS, the Town Assessor has recommended continuing in the Reassessment Consortium, and

WHEREAS, it is advantageous to continue the reassessment of properties in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement Establishing the Real Property System Consortium of Erie County Governments on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that moneys representing the Town's share of the costs pursuant to such agreement shall be appropriated from budget line item number 01-1355-0004-4359.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

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

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

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

WHEREAS, the New York State Comptroller's Office has stated in Opinion Number 80-342 that a Town Board may authorize its Receiver of Taxes and Assessments to temporarily invest Town tax moneys, and

WHEREAS, the County of Erie has also authorized that Receiver of Taxes and Assessments to invest County tax moneys which the Town collects and to

Item No. 12 continued

retain any interest therefrom to the town's credit, NOW, THEREFORE, BE IT

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

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for over eight years, AND

WHEREAS, we are presently serving 228 elderly residents daily with two home-delivered meals, NOW, THEREFORE,

BE IT RESOLVED, that the Town of Cheektowaga will present a grant of $10,000.00 to the Meals on Wheels Program for the year 1990 to insure the continuity of this program in our Town.

Funding Account: 01-7620-0004-4629

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, certain capital projects have been completed the purposes for which they were in existence, and

WHEREAS, these capital projects have been reviewed to determine the proper disposition of residual funds in accordance with the general municiple law, NOW, THEREFORE, BE IT

RESOLVED that the following projects be closed and ending equities be transferred as follows:

PROJECT #	DESCRIPTION	ENDING EQUITY	DISPOSITION
17	Losson Rd. Comm. Center	$ 11,749.00	Transfer balance of equity to General Fund.
26	Losson Park Garage	$ 24,317.00	Transfer $17,160. to project 27 and balance of General Fund.
27	Rossler Bridge	$(17,160.00)	Will receive transfer of $17,160. for project 26.
28	Stiglmeier Park-Acq.	$ 14,454.00	Transfer balance of equity to the Debt Service Fund
31	Telementary District 5	$ 3,980.00	Transfer balance of equity to project 42.

Item No. 14 continued

PROJECT #	DESCRIPTION	ENDING EQUITY	DISPOSITION
36	SS 2, 4, 5, 6, & 7	$248,489.00	Transfer $144,003.40 to project 40, $60,808.00 to project 701 and $43,677.60 to project 42
37	SS 5- Area	$705,177.60	Transfer balance to project 42
40	SS 5- Rehab.	$(849,181.00)	Will receive transfers of $705,177.60 from project 37 and $144,003.40 from project 36
41	SS 2	$269,401.00	Transfer balance of equity to Debt Service Fund
710	Storm Drainage Project	$(60,808.00)	Will receive transfer of $60,808.00 from project 36
731	Huth Rd. Storm Drainage	$ 10,144.00	Transfer balance of equity to the General Fund
732	Sewer Remedial 5	$ 15,527.00	Transfer balance of equity to project 42
733	Sewer Remedial 7	$ 20,660.00	Transfer balance of equity to SD 7

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, bids were received on December 18, 1989 for the purchase of lighting supplies, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board, as submitted by Henry Borkowski, Engineering Aide, and dated December 26, 1989, NOW, THEREFORE, BE IT

RESOLVED that the contract for the purchase of lighting supplies for fiscal years 1990, 1991 and 1992 be awarded to:

Buffalo Light & Supply Corp.
1546 Walden Avenue
Buffalo, New York 14225

ITEM I	INCANDESCENT LAMPS	
	60A/52/WM - 120	.28 ea.
	100A/90/WM - 120	.28 ea.
	100A/RS - 120	.51 ea.
	20/T6 1/2/1F - 120	1.11 ea.
	75R30/FL - 120	1.33 ea.
	150R40/FL - 120	1.46 ea.
	120PAR/FL/WM - 120	1.95 ea.
	25T6 1/2/CLEAR - 120	.81 ea.
	300/CLEAR-MOGUL - 120	1.11 ea.
	200PAR/46/3/MFL - 120	6.04 ea.
	200A	.55 ea.
	500(CL) MOGUL	1.83 ea.

Item No. 15 continued

ITEM II	FLUORESCENT LAMPS	
	F40/CW/RS/WM	$1.09 ea.
	F96T12/CW/HO/WM	2.41 ea.
	F40/CW/U/6	2.95 ea.
	F13BX/SPX27	1.79 ea.
	F20T12/CW	1.25 ea.
ITEM III	MERCURY VAPOR LAMPS	
	HR175DX39	$5.64 ea.
	HR100DX38-4	7.57 ea.
	HR250DX33	9.97 ea.
	HR400DX33	7.95 ea.
ITEM IV	METAL HALIDE	
	MVR 250/U	$14.38 ea.
	MVR 400/C	15.53 ea.
ITEM V	HIGH PRESSURE SODIUM	
	LU 70	$14.50 ea.
	LU 70/MED	13.34 ea.
	LU 100/MED	15.15 ea.
	LU 150/55/D	16.94 ea.
	LU 400	17.71 ea.
ITEM VI	BALLAST	
	R2540TP 40 watt	$11.57 ea.
	R2E75/S/TP 96 watt	19.47 ea.
ITEM VII	PHOTO CONTROLS	
	P68/275/208 VLT	$4.99 ea.
	P2/275/120 VLT	4.22 ea.
	PCT-15	6.04 ea.
	Account No. 90-5182-0004-4432	

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE LETTER ATTACHED

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

December 26, 1989

TO SUPERVISOR FRANK SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Lighting Supplies

Gentlemen:

Bids were received and opened on December 18, 1989 for the purchase of lighting supplies for the fiscal years of 1990, 1991 and 1992. Four (4) bids were received. The award of bid was based on a total bid price as listed below.

BIDDER	BID AMOUNT
Buffalo Light & Supply Corp.	$3,447.68
Quermback Electric	3,824.02
Davis Electric Supply Co., Inc.	3,955.48
Westinghouse Electric Supply Co.	4,542.36

After reviewing the bids it is, therefore, recommended that the bid for lighting supplies for fiscal years 1990, 1991 and 1992 be awarded to Buffalo Light & Supply Corporation, 1546 Walden Avenue, Buffalo, New York 14225 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski

Henry Borkowski
Engineering Aide

HB:dms

Item No. 16 Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, by resolution dated August 1, 1989, this Town Board enacted Local Law No. 1 of the Year 1988, entitled "A Local Law known as Residency Law", and

WHEREAS, such Residency Law requires Town employees to be residents of the Town and to remain Town residents throughout the course of their employment, and

WHEREAS, there is reason to believe that the following Town employees are not Town residents:

James Demblewski
James Torbicki

NOW, THEREFORE, BE IT

RESOLVED that, in accordance with Section 6 of the Residence Law, the Town Clerk be and hereby is directed to forward the attached Notice forms to the aforementioned Town employees.

* *

NOTICE OF ALLEGED VIOLATION OF

RESIDENCY LAW OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE, that it is alleged that you are not a resident of the Town of Cheektowaga as is required by the Residency Law of the Town of Cheektowaga.

You are hereby allowed seven (7) calendar days after your receipt of this notice in which to respond to this allegation in writing directed to the Town Board.

Should you fail to respond to this Notice or if your response is not, in the opinion of the Town Board, sufficient to satisfy the requirements of the Residency Law of the Town of Cheektowaga, a hearing shall be scheduled to examine the charge of nonresidency.

Should your response state that you admit you are a nonresident of the Town, you shall be given 45 days after the date of this Notice (up to February 16, 1990) to submit proof to the Town Board that you have become a resident of the Town of Cheektowaga in compliance with the Residency Law of the Town of Cheektowaga.

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

Richard M. Moleski, Town Clerk

DATED: January 2, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* See Attached Notice

NOTICE OF ALLEGED VIOLATION OF

RESIDENCY LAW OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE, that it is alleged that you are not a resident of the Town of Cheektowaga as is required by the Residency Law of the Town of Cheektowaga.

You are hereby allowed seven (7) calendar days after your receipt of this notice in which to respond to this allegation in writing directed to the Town Board.

Should you fail to respond to this Notice or if your response is not, in the opinion of the Town Board, sufficient to satisfy the requirements of the Residency Law of the Town of Cheektowaga, a hearing shall be scheduled to examine the charge of nonresidency.

Should your response state that you admit you are a nonresident of the Town, you shall be given 45 days after the date of this Notice (up to February 16, 1990) to submit proof to the Town Board that you have become a resident of the Town of Cheektowaga in compliance with the Residency Law of the Town of Cheektowaga.

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 2, 1990

Item No. 17 Motion by Supervisor Swiatek Seconded by Councilman Jaworowicz

WHEREAS, the term of Mark E. Weber as Trustee of the Cheektowaga Library Board expired on January 1, 1990, and

WHEREAS, the Cheektowaga Library Board has recommended that this Town Board reappoint Mark E. Weber to such position, NOW, THEREFORE, BE IT

RESOLVED that Mark E. Weber, Cheektowaga, New York 14227 is reappointed as Trustee of the Cheektowaga Library Board, effective immediately, for a term expiring on January 1, 1995.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, by resolution dated April 26, 1989, Thomas Kolbert was appointed Town Justice and granted a leave of absence from his position as Clerk to the Justice Court until December 31, 1989, and

WHEREAS, at the November 7, 1989 general election, Thomas Kolbert was elected to the position of Town Justice for a term of two years, and

WHEREAS, Thomas Kolbert has requested a leave of absence from his position as Clerk to the Justice Court, NOW, THEREFORE, BE IT

RESOLVED that Thomas Kolbert be and hereby is granted a leave of absence from his position as Clerk to the Justice Court for a period of one year, effective January 1, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19a Motion by Councilman Kulyk Seconded by Councilman Blachowski

BE IT RESOLVED that the following part-time employees be and hereby are terminated, effective December 31, 1989:

Council Office

Paul Folsom
Ann Marie Wojciechowski

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following seasonal employees in the Main Pump Station are hereby terminated:

	EFFECTIVE
Daniel D. Swiriduk	8/26/89
Norman Anderson	4/15/89

Item No.19b continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Kulyk Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following individuals are hereby hired on a part-time basis in the following departments, not to exceed twenty (20) hours per week:

SEWER DEPARTMENT - $4.35 per hour Account #25-8125-0001-1491

Leo Dominczak
William Chruscicki
Dean Sarago
Richard Latshaw

FACILITIES DEPARTMENT - Parks Division -Account #01-7110-0001-1491 @ $4.35 per hr.

Stan Siejak
Mark Jakubik
Robert Lee
John Rogowski
Frank Lasota
Cam Viverto
Joseph Dolecki
Christopher Golas
James Rogowski
Mark Meszkotowicz
Scott Pfeiffer
Paul Shaffer

SANITATION DEPARTMENT - $5.00 per hour - Account #15-8160-0001-1491

Anthony Terranova, Jr.
Peter Myhalenko
Raymond Jochum
Richard Roll
Parisien, Theodore
Ozolins, Christian

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Kulyk Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following persons be hired as seasonal employees in the listed departments, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) consecutive weeks in a calendar year, on an as-needed basis:

MAIN PUMP STATION - $4.35 per hour - Account #25-8135-0001-1491

John Johnson
Chester Kensy
Leroy J. Linkner
Conrad Scharmach

Item No. 21 continued

FACILITIES DEPARTMENT - Parks Division - Account #01-7110-0001-1491 @ $4.35 per hr.

John Kochel
Robert Trzaska
Andrew Sciandra
Jeffrey Koscialny
John Bratek
Edward Stangret
James Demler
Randy Palmisano
Harry Rogalski
Gordon Hagmier
Felix Lampke
Eric Ozolins

FACILITIES DEPARTMENT - Bldg. Maintenance Div. -Account #01-1625-0001-1491 @ $4.35 per hour

Joseph Coffta
Steven Dunkowski
Francis Strong

SANITATION DEPARTMENT - $5.00 per hour

Michael Bratek
Mark Cywinski
Gerry Daminski
Leonard Jasinski
David Orlikowski
Donald Sobocinski
John Tourjie
Jean Cadwallader
David Rusinski
Dale Ruthenberg
Matthew Wisniewski
Mark Stolinski
Bill Yetman
Daniel Bienko
Raymond Sliwinski, Jr.
Paul Strzelczyk
Jim Kwiatkowski
John Russ
Bill Galuszka, Jr.
Dave Gallmeyer
Brian Kaczmierczak
Joe Krzeminski
John Wieberg
Tony Wdowik
Terry Caggiano

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, a vacancy occurs in the Program Coordinator's position with the departure of Robert Off to accept a permanent position with the New York State Department of Environmental Conservation, BE IT

RESOLVED that Ellen Fischer, Cheektowaga, New York 14225, be hired to fill the position of Program Coordinator at a salary rate of $7.50 per hour, effective January 22, 2990 (01-7310-0001-1811).

Item No. 22 continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 2, 1990 are hereby approved and made a part hereof:

GENERAL FUND	$ 95,793.13
HIGHWAY FUND	44,234.85
CAPITAL FUND	94,009.20
TRUST AND AGENCY FUND	10,541.80
PART TOWN FUND	780.24
RISK RETENTION	3,200.00
HUD CDBG FUND	13,107.30
SPECIAL DISTRICT FUND	79,578.18
TOTAL	$341,244.70

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Supervisor's Statement of Funds/October, 1989
Received and Filed.

Item No. 25 Building Permits
Received and Filed.

Item No. 26a Minutes of Cheektowaga Library Board/November, 1989
Received and Filed.

Item No. 26b Minutes of Cheektowaga Traffic Safety Commission/December, 1989
Received and Filed.

IV. SUSPENSION OF RULES

* *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN KULYK TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING ITEMS AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* *

Item No. 27 Motion by Councilman Rogowski Seconded by Councilman Gabryszak

BE IT RESOLVED that Chester L. Bryan, Cheektowga, New York be and hereby is reappointed Town Engineer, effective January 1, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that James J. Kirisits, Cheektowaga, New York be and hereby is reappointed Town Attorney, effective January 1, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Blachowski and seconded by Councilman Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a 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 January, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Robert M. Lis, Chief of Police; Casimir A. Kozminski, Assessor; Ron Marten, Supervising Building & Plumbing Inspector; Dave Kulik, Working Foreman in Sanitation/Recycling Department; Bruce Chamberlin, Assistant Chief of Police; John Schaller, Captain/Police Department; Pat Wojcik, Director of Senior Services; Sal LaGreca, Employment and Training Director II; also Planning Board Chairman; Don Wegner, Chairman of Zoning Board of Appeals.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, Section 24, paragraph 11 of the Town Law empowers the Town Board to designate as the official paper of the Town any newspaper regularly published in the Town if such newspaper has been entered as Second Class Mail material, and

WHEREAS, the CHEEKTOWAGA TIMES, is published and circulated on a regular weekly basis in the Town of Cheektowaga, and

WHEREAS, the office of said newspaper is located in the Town, NOW, THEREFORE, BE IT

RESOLVED that the CHEEKTOWAGA TIMES, located at 343 Maryvale Drive, be and hereby is designated as the official paper of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the architectural firm of Scaffidi & Moore, P.C. has been retained by this Town Board for reconstruction work associated with the Alexander Avenue Community Center, and

WHEREAS, it is necessary at this time to proceed with Phase II development for reconstruction of the south side of the second floor facility so as to provide for office spaces for Town departments, and

Item No. 3a cont'd

WHEREAS, said Scaffidi & Moore, Architects, have submitted a proposal to the Town Engineer, dated January 9, 1990, for the provision of professional services for the Phase II development of the Alexander Avenue Community Center as recommended by the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts and approves the proposal of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226 for the provision of the necessary professional architectural services related to the development of the Alexander Avenue Community Center, at the fee of $10,445.00, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said agreement, and BE IT FURTHER

RESOLVED that the costs for said professional services are to be chargeable to Account No. 01-1625-0047-0040.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 3b Motion by Councilman Rogowski, Seconded by Councilman Kulyk

WHEREAS, in the continuous operation of the Sanitary Sewer District No. 5 Main Pump Station and other sewer pump stations, the Town has relied on obtaining technical assistance on resolving problems as they occur and involve highly specialized components and having quarterly preventative maintenance inspections conducted, and

WHEREAS, based on past experience and the aging of the pump stations, there is need to continue obtaining specialized technical assistance in order to assure continuous operation of the sanitary sewer system, and

WHEREAS, Nussbaumer & Clarke, Inc. have been found qualified to perform such services and have provided assistance at all hours as needed, NOW, THEREFORE, BE IT

RESOLVED that the agreement for general technical services for 1990 thru 1991, as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer, is approved and accepted, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said agreement, and BE IT FURTHER

RESOLVED that the costs based on the hourly rates established in the agreement shall be chargeable to Account No. 25-8135-0004-4581 with the current year budget allocation of $15,000.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Village of Depew is located partially within the town of Cheektowaga, and

WHEREAS, the Village of Depew maintains its own police department on an annual full-time basis, and

Item No. 3c cont'd

WHEREAS, Section 150 of the Town Law authorizes the Town of Cheektowaga to enter into an agreement with the Village of Depew to determine what part of the cost of the Town's police department shall be assessed against Village properties, and

WHEREAS, a proposed agreement for calendar year 1990 has been prepared and is acceptable to this Town Board, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the Village of Depew.

* See next two (2) pages for agreement

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

A G R E E M E N T

THIS AGREEMENT made the 15th day of January, 1990, by and between the TOWN OF CHEEKTOWAGA, a municipal corporation with offices at Broadway and Union Road, Cheektowaga, New York (hereinafter referred to as the "TOWN"), and VILLAGE OF DEPEW, a municipal corporation with offices at Manitou and Gould Avenue, Depew, New York (hereinafter referrred to as the "VILLAGE"):

W I T N E S S E T H:

CHEEKTOWAGA TOWN CLERK'S OFFICE
BOX # 238
NO. 31

WHEREAS, the Budget Officer of the TOWN provides in the Town Budget on an annual basis an adjustment to the General Fund to relieve VILLAGE taxpayers of a portion of the cost of the TOWN Police Department, and

WHEREAS, the parties hereto desire to enter into an Agreement for the 1990 calendar year to cause the adjustment for VILLAGE taxpayers in the General Fund portion of the TOWN tax for 1990, and

WHEREAS, such an agreement is authorized by Section 150 of the Town Law of the State of New York,

NOW, THEREFORE, upon the mutual covenants and promises herein contained, it is hereby agreed as follows:

(1) The Budget Officer of the TOWN will cause an adjustment to be made to the 19 Town Budget, General Fund, in the amount of $153,945.08 to relieve VILLAGE taxpayers of a portion of the cost of the TOWN Police Department for the calendar year 1990.

(2) In the event that all or a part of the police operations of the VILLAGE merge with or are assumed by the TOWN, this Agreement shall become null and void, and the parties agree to negotiate a new agreement.

(3) This Agreement shall be effective from January 1, 1990 to December 31, 1990.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

TOWN OF CHEEKTOWAGA

(SEAL)

Frank E. Swiatek, Supervisor

VILLAGE OF DEPEW

(SEAL)

Arthur Domino, Mayor

EXTRACT OF MINUTES February 6, 1990

PERMISSION - MAYOR DOMINO SIGN 1990 AGREEMENT RELATING TO TOWN POLICE DEPARTMENT ASSESSMENT FOR VILLAGE PROPERTIES

On motion of Trustee Roscoe, seconded by Trustee Nusall, Mayor Domino is hereby authorized to sign the 1990 Agreement with the Town of Cheektowaga relating to Town Police Department Assessment for Village Properties. Carried.

ADOPTED AT 17
BOARD MEETING
FEB 6 1990

Item No. 3d Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has received funding from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, for the 1989-90 Program Year, and

WHEREAS, an eligible activity under the Community Development Block Grant Program is the provision of energy conservation programs to assist low-income renters and homeowners, and

WHEREAS, Supportive Services Corporation of Western New York has requested funding for the provision of energy conservation and weatherization services for low-income Town residents, and

WHEREAS, funding for such services has been included in the Town's 1989-90 Community Development Block Grant application, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to execute an Agreement with Supportive Services Corporation of Western New York for the provision of energy Conservation and weatherization services for Town residents, and BE IT FURTHER

RESOLVED that the fee paid to Supportive Services be in the amount of 5,000, said fee to be paid from the Fiscal Year 1989-90 Community Development Block Grant Funds, Account No. 07-1989-0086-0707.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 4a Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, there is a need to establish revised procedures and fees for the collection of garbage and refuse in the Town of Cheektowaga, especially with respect to commercial establishments, and

WHEREAS, the Sanitation Department and Sanitation Committee have recommended that a local law be adopted to establish such revised garbage collection practices and fees, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on the 5th day of February, 1990 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 Local Law No. 1 of the Year 1990 entitled "A Local Law for the Collection of Garbage, Rubbish and Refuse" shall be adopted, 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 ADOPT

A LOCAL LAW FOR THE COLLECTION OF GARBAGE, RUBBISH AND REFUSE

NOTICE IS HEREBY GIVEN that pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the

Item No. 4a cont'd

Town of Cheektowaga on the 5th day of February, 1990 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposal to enact Local Law No. 1 of the Year 1990, entitled "A Local Law for the Collection of Garbage, Rubbish and Refuse". A brief description of Local Law No. 1 of the Year 1990 is as follows:

Town of Cheektowaga

Local Law No. 1 of the Year 1990

"A local law establishing new procedures and fees for the collection of garbage, rubbish and refuse within the Town of Cheektowaga."

A copy of the complete text of "Local Law No. 1 of the Year 1990" shall be on file in the Town Clerk's Office in the Cheektowaga Town Hall, where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 JAN 1 8 1990; last publication JAN 1 8 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 1 8 1990

day of , 19

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1991

LEGAL NOTICE
NOTICE OF HEARING ON PROPOSAL TO ADOPT A LOCAL LAW FOR THE COLLECTION OF GARBAGE, RUBBISH AND REFUSE

NOTICE IS HEREBY GIVEN that pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 5th day of February, 1990 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposal to enact Local Law No. 1 of the Year 1990, entitled, "A Local Law for the Collection of Garbage, Rubbish and Refuse". A brief description of Local Law No. 1 of the Year 1990 is as follows:

Town of Cheektowaga
Local Law No. 1 of the Year 1990

"A local law establishing new procedures and fees for the collection of garbage, rubbish and refuse within the Town of Cheektowaga."

A copy of the complete text of "Local Law No. 1 of the Year 1990" shall be on file in the Town Clerk's Office in the Cheektowaga Town Hall, where the same may be examined during regular business hours.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK
Richard M. Moleski Town Clerk
PUBLISH: January 18, 1990

Item No. 4b Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, Corsi DeVincentis, Inc. has made application for a Special Use Permit to display and sell used trucks and autos for property located at 1989 Harlem Road, said applicant being the owner of the property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 5, 1990 at 7:00 P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 JAN 18 1990; last publication JAN 18 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 18 1990

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

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1991

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 5th day of February, 1990 at 7:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of CORSI DEVINCENTIS INC./ CORSI FLEET SERVICE for a Special Permit to sale of used cars & truck on property located at 1989 HARLEM ROAD pursuant to Article VI and Section 82-33 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
RICHARD M. MOLESKI
Town Clerk

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 23, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the easterly line of Harlem Road, as conveyed to the County of Erie by deed recorded in Erie County Clerk's Office in Liber 3084 of Deeds at page 11, at the northwest corner of lands conveyed to Wilfred E. Schultz and Beatrice M., his wife by deed recorded in said Clerk's Office in Liber 9020 of Deeds at page 142; thence easterly along the north line of lands conveyed to Schultz by aforesaid deed, ninety-seven (97) feet to the northeast corner thereof; thence southerly along the east line of lands conveyed to Schultz by aforesaid deed, six and seventy-two hundredths (6.72) feet to the northwest corner of lands conveyed to Wilfred Schultz by deed recorded in said Clerk's Office in liber 9313 of Deeds at page 235; thence easterly along the north line of lands so conveyed to Schultz by last mentioned deed, sixty and two hundredths (60.02) feet to the northeast corner thereof; thence southerly along the east line of lands so conveyed to Schultz by last mentioned deed, sixty-six and six hundredths (66.06) feet to the southeast corner thereof, said southeast corner being a point in the north line of lands conveyed to Wilfred E. Schultz by deed recorded in said Clerk's Office in Liber 9013 of Deeds at page 494; thence easterly along the north line of lands so conveyed to Schultz by last mentioned deed, one hundred eighty-three and four tenths (183.4) feet to a point in the west line of lands conveyed to Wilfred E. Schultz by deed recorded in said Clerk's Office in Liber 7307 of Deeds at page 639; thence northerly along the west line of lands so conveyed to Schultz by last mentioned deed, two hundred fifty-four and fifty-one hundredths (254.51) feet to the northwest corner thereof, said northwest corner being the southwest corner of lands conveyed to Ann Szczublewski by deed recorded in said Clerk's Office in Liber 4405 of Deeds at page 113; thence easterly along the south line of lands so conveyed to Szczublewski by aforesaid deed and along the south line of lands so conveyed to Szczublewski, as extended easterly, two hundred forty and thirty-four hundredths (240.34) feet to the northeast corner of lands conveyed to Wilfred Schultz by deed recorded in said Clerk's Office in Liber 8888 of Deeds at page 473; thence southerly parallel to the west line of Lot No. 23 and along the east line of lands so conveyed to Schultz by last mentioned deed, two hundred thirty-six and seventy-eight hundredths (236.78) feet to the southeast corner thereof; thence westerly at an interior angle of 92 degrees 39 seconds and along the south line of lands so conveyed to Schultz by last mentioned deed, one hundred twenty-one and sixty-four hundredths (121.64) feet to the southwest corner thereof, said southwest corner being a point in the east line of lands so conveyed to Schultz by aforesaid deed recorded in said Clerk's Office in Liber 7307 of Deeds at page 639; thence southerly along the east line of lands so conveyed to Schultz by last mentioned deed eighty-one and forty hundredths (81.40) feet to the southeast corner thereof; thence westerly along the south line so conveyed to Schultz by last mentioned deed, one hundred nineteen and forty-six hundredths (119.46) feet to the southwest corner thereof, said southwest corner being a point in the east line of lands so conveyed to Schultz by aforesaid deed recorded in said Clerk's Office in Liber 9013 of Deeds at page 494; thence southerly along the east line of lands so conveyed to Schultz by last mentioned deed, three hundred sixty-seven and sixty hundredths (367.60) feet to the northeast corner of lands conveyed to P & G Steel Products Co., Inc. by deed recorded in said Clerk's Office in Liber 9037 of Deeds at page 369; thence westerly along the north line of lands so conveyed by last mentioned deed, two hundred forty-three and twenty-two hundredths (243.22) feet to the northwest corner thereof, said northwest corner being a point in the east line of lands conveyed to Henry Newman by deed recorded in said Clerk's Office in liber 4009 of Deeds at page 404; thence northerly along the east line of lands so conveyed by last mentioned deed, two and seven hundredths (2.07) feet to the southeast corner of lands so conveyed to Schultz by aforesaid deed recorded in said Clerk's Office in Liber 9020 of Deeds at page 142; thence westerly along the south line of lands so conveyed by last mentioned deed, about one hundred eighty-three and ninety-three hundredths (183.93) feet to the southwest corner thereof, said southwest corner being a point in the said easterly line of Harlem Road; thence northerly along the said easterly line of Harlem Road, about four hundred sixty-three and eleven hundredths (463.11) feet to the point of beginning.

EXCEPTING THEREFROM lands appropriated by the State of New York by deed recorded in Erie County Clerk's Office in Liber 9000 of Deeds at page 57.

PUBLISH: January 18, 1990

NO. 3

Item No. 4c Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

WHEREAS, St. Joseph Hospital has made application and requested the rezoning from R-Residential to RC-Restricted Business the property located at 2605 Harlem Road, said applicant being the owner of the property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 5, 1990 at 7:00 P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 .....JAN 1 8 1990..... ; last publication .....JAN 1 8 1990..... ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 1 8 1990

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

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 19 9/

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 5th day of February, 1990 at 7:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of ST. JOSEPH HOSPITAL to Rezone from R-RESIDENCE DISTRICT to RC-RESTRICTED BUSINESS DISTRICT on property located at 2605 HARLEM ROAD and amend the Zoning Map and Ordinance accordingly, pursuant to Article X an d Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
RICHARD M. MOLESKI
Town Clerk

does hereby grant and release unto the party of the second part, its successors and assigns forever, all THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being the southwest part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows: namely: On the south by Lot No. 24. On the east by a line parallel with the east line of said Lot No. 25 and distant twenty-five chains (25) and fifty-two links (52) west therefrom. On the north by a line parallel with the south bounds of said Lot No. 25, and far enough therefrom to include twenty-six (26) acres and eighty-four hundredths (84/100) of an acre south of said line. And on the west by a road chain wide (now known as Harlem Avenue). Containing at least twenty-six (26) acres and eighty-four hundredths (84/100) of an acre of land.

EXCEPTING, however, Right of Way dated September 12, 1927, granted to The Depew and Lancaster Light, Power and Conduit Company, recorded in Liber 1968 of Deeds at page 5, in the Erie County Clerk's Office, State of New York, on September 30, 1927.

This conveyance is made pursuant to an Order of the Supreme Court granted and entered the 7th day of December, 1956.

PUBLISH: January 18, 1990

CHEEKTOWAGA TIMES 21

NO. 3

Item No. 4d Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, Stanley Wilson has made application and requested the rezoning from R-Residential to RA-Apartment District, property located at 81 Rachelle Drive, Cheektowaga, New York, said applicant being the owner of the property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 5, 1990 at 7:00 P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

.....Scott Benson....., 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 .....JAN 18 1990..... ; last publication .....JAN 18 1990..... ; and that no more than six days intervened between publications.

.....Scott Benson.....

Sworn to before me this .....JAN 18 1990.....

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

.....Eve J. Allis.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1991

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 5th day of February, 1990 at 7:00 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of STANLEY WILSON to rezone from R-RESIDENCE DISTRICT to RA-APARTMENT DISTRICT on property located at 81 RACHELLE DRIVE and amend the Zoning Map and Ordinance accordingly, pursuant to Article X an d Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
RICHARD M. MOLESKI
Town Clerk

and assigns forever, all

THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 108, Township 10, Range 7 of the Buffalo Creek Reservation, and according to a map filed in the Erie County Clerk's Office under map cover No. 2175, is known and distinguished as subdivision lot No. 85.

EXCEPTING AND RESERVING THEREFROM all right, title and interest in and to the street known as Rachelle Drive, as shown on said map, which said street has been conveyed to the Town of Cheektowaga for highway purposes.

SUBJECT to easements, rights of way and restrictions of record, if any.

PUBLISH: January 18, 1990

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

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

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

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

Laux Sporting Goods
441 Broadway
Buffalo, New York 14212

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

Southtown Sports, Inc.
180 Buffalo Street
Hamburg, New York 14075

and BE IT FURTHER

RESOLVED that any purchases resulting from the award of this bid for the Recreation Department will be funded through line item 01-7140-04-4601 Aid to Youth Programs, or 01-7140-04-4025 Athletic Supplies.

* See next thirteen (13) pages

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

BID ITEMS

ITEM 1 BATTERS HELMETS

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

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 9.25 Laux

Total Price_____

B) RCS chin straps

Amount ordered_____

Bid price ~~each~~ dozen 16.95 Laux

Total price_____

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

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 11.75 Ludtka

Total price_____

D) Cooper BC 5 L.L. and NOCSAE approved helmet. Chin strap included.

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 10.80 Laux

Total price_____

ITEM 2 CATCHERS HELMETS

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

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 14.95 Ludtka

Total price_____

B) Cooper CL 87 catchers helmet. High impact ABS shell, replaceable liner, L.L. approved.

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 16.80 Laux

Total price_____

C) Rawlings CSC adult catchers helmet, polycarbonate, fully foam padded in dark blue and red.

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 10.35 Laux

Total price_____

D) Rawlings LLCH Little League approved. Cycolac ABS shell, single foam padding. Adjustable, replaceable harness straps.

Amount ordered S___ M___ L___ XL___

Color_____

Bid price each 11.95 Laux

Total price_____

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

ITEM 3 MASKS All Star SM3

A) ~~XXXXXX~~26 softball mask with replaceable stretch straps.

Amount ordered_____

Bid price each 8.15 Southtowr

Total price_____

Replacement pad ~~XXXXX~~ All Star SM3P — Bid price each 5.60 Southtown
Amount ordered _____ Total price _____

Replacement harness ~~XXXX~~ All Star FMH3 — Bid price each 3.75 Southtown
Amount ordered _____ Total price _____

Rawlings PWMX-4

B) ~~Macgregor B24~~ Little League approved masks, durable plasticol coated lightweight wire frame, foam filled vinyl snap on pack and adjustable harness.
Amount ordered _____ Bid price each 12.75 Laux
Total price _____

Replacement pad Macgregor B24P — Bid price each No award
Amount ordered _____ Total price _____

Replacement harness Macgregor M24H — Bid price each No award
Amount ordered _____ Total price _____

C) Rawlings PWM-1, pro use, nylon coated wire frame snap on padding, vinyl covering, harness with triple adjustment.
Amount ordered _____ Bid price each 14.95 Laux
Total price _____

Replacement pad, Rawlings PWMP-1 — Bid price each 6.95 Laux
Amount ordered _____ Total price _____

Replacement harness, Rawlings PWMH-1 — Bid price each 5.10 Laux
Amount ordered _____ Total price _____

D) Champro CM05 softball mask with straps — Bid price each 6.95 Southtown
Amount ordered _____ Total price _____

E) Champro CM02 youth mask with ear extension. — Bid price each 7.75 Southtown
Amount ordered _____ Total price _____

F) Champro CM03 youth mask — Bid price each 7.35 Southtown
Amount ordered _____ Total price _____

G) Champro CM01 Major League wire frame mask — Bid price each 11.50 Southtown
Amount ordered _____ Total price _____

ITEM 4 THROAT PROTECTORS

A) Macgregor B28 rugged molded vinyl with heavy foam padding. Fits any make of mask.
Amount ordered _____ Bid price each No award
Total price _____

B) Cooper TP molded of high density polyethlene laces to Cooper masks.
Amount ordered _____ Bid price each 3.50 Southtown
Total price _____

C) Steve Yeager - baseball model — Bid price each No award
Amount ordered _____ Total price _____

D) Rawlings TP5, 8" long velcro fastener — Bid price each 2.95 Laux
Amount ordered _____ Total price _____

E) Champro 6½" adult protector with snaps CM06 — Bid price each 1.95 Southtown
Amount ordered _____ Total price _____

F) Champro 4½" youth protector with snaps CM07 — Bid price each 1.90 Southtown
Amount ordered _____ Total price _____

ITEM 5 BODY PROTECTORS A3254

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

Amount ordered_____ Bid price each 17.95 Ludtka

Color_____ Total price_____

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

Amount ordered_____ Bid price each 16.95 Laux

Color_____ Total price_____

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

Amount ordered_____ Bid price each 15.50 Southtown

Color_____ Total price_____

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

Amount ordered_____ Bid price each 22.95 Laux

Color_____ Total price_____

TAG Collegiate TBP 140

E) ~~Champro CP02~~ (outside) chest protector

Amount ordered_____ Bid price each 19.45 Laux

Color_____ Total price_____

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

Amount ordered_____ Bid price each 33.30 Laux

Color_____ Total price_____

G) Champro CP031 Little League with half harness.

Amount ordered_____ Bid price each 13.25 Southtown

Color_____ Total price_____

H) Champro CP02 Collegiate body protectors

Amount ordered_____ Bid price each 16.25 Southtown

Color_____ Total price_____

I) Champro CP01 Pro Body protector

Amount ordered_____ Bid price each 15.50 Southtown

Color_____ Total price_____

J) Champro CP041 Tee Ball chest protector

Amount ordered_____ Bid price each 9.30 Southtown

Color_____ Total price_____

K) Champro CP07 Umpires chest protector (outside)

Amount ordered_____ Bid price each 24.20 Southtown

Color_____ Total price_____

L) Champro CP06 Umpires chest protectors (inside)

Amount ordered_____ Bid price each 24.20 Southtown

Color_____ Total price_____

ITEM 6 SHIN GUARDS

A) Rawlings 9C Little League approved, combination calf and ankle pad, armor lite plastic caps, shin and instep pieces, adjustable elastic straps.
Amount ordered_____
Bid price each 14.55 Laux
Totl price_____

B) Rawlings 76C-1 Youth Model approved, combination calf and ankle pad, armor lite plastic caps, shin and pieces, adjustable elastic straps.
Amount ordered_____
Bid price each 17.55 Laux
Total price_____

C) All Star LG10 Babe Ruth use, 11" shin plate ultra lite padding, replaceable straps.
Amount ordered_____
Bid price each 20.75 Southtown
Total price_____

D) All Star LG 20 W double knee cap protect, 12" shin plate, ultra lite padding, replacement straps.
Amount ordered_____
Bid price each 36.50 Southtown
Total price_____

E) Wilson A 3471 shin plate, calf and ankle pad, elastic caps, shin and instep pieces, adjustable elastic straps.
Amount ordered_____
Bid price each 26.90 Southtown
Total price_____

F) Rawlings, OMW pro leg guards hinged double knee vinyl padding, calf and ankle wing, adjustable elastic straps.
Amount ordered_____
Bid price each 47.95 Laux
Total price_____

G) Wilson A3487 pro model umpire leg protector GLG-MLU.
Amount ordered_____
Bid price each 36.90 Southtown
Total price_____

H) Rawlings 76DC, double hinged knee
Amount ordered_____
Bid price each 21.55 Laux
Total price_____

I) Champro CG12 youth shin guards
Amount ordered_____
Bid price each 11.65 Southtown
Total price_____

J) Champro CG05 girls shin guards
Amount ordered_____
Bid price each 17.00 Southtown
Total price_____

K) Champro CG04 Babe Ruth shin guards
Amount ordered_____
Bid price each 22.75 Southtown
Total price_____

L) Champro CG02 high school double knee protector
Amount ordered_____
Bid price each 25.25 Southtown
Total price_____

M) Champro CG01 pro triple leg guard
Amount ordered_____
Bid price each 32.70 Southtown
Total price_____

N) Champro CG08 Umpires leg guards
Amount ordered_____
Bid price each 18.50 Southtown
Total price_____

O) Champro CG06 LL double knee protector
Amount ordered_____
Bid price each 19.35 Southtown
Total price_____

ITEM 7 CATCHERS GLOVES

A) Cooper 662 single flex leather (steer hide) extended palm pro toe feature, hinged webs skip crotch lacing.
Amount ordered_____
Left_____Right_____
Bid price each 39.60 Laux
Total price_____

B) Cooper 242 single flex leather (steer hide) pro toe feature, open style strap, leather lined.
Amount ordered_____
Left_____Right_____
Bid price each 35.90 Laux
Total price_____

C) Champro Classic pro catchers glove
Amount ordered_____
Left_____Right_____
Bid price each 46.25 Southtown
Total price_____

D) Champro CPX 555 full size catchers glove
Amount ordered_____
Left_____Right_____
Bid price each 33.25 Southtown
Total price_____

E) Champro CPX 444 youth catchers glove
Amount ordered_____
Left_____Right_____
Bid price each 29.75 Southtown
Total price_____

ITEM 8 BASEBALLS

A) Wilson A1074
Amount ordered_____
Bid price per dozen 29.75 Ludtka

B) Wilson A1082
Amount ordered_____
Bid price per dozen 31.50 Ludtka

C) Wilson A1010
Amount ordered_____
Bid price per dozen 43.90 Ludtka

D) Debeers LL #91
Amount ordered_____
Bid price per dozen 32.50 Southtown

E) Debeers BR #93
Amount ordered_____
Bid price per dozen 32.50 Southtown

F) Debeers Maj. League #101
Amount ordered_____
Bid price per dozen 42.50 Southtown

G) Rawlings RO-A/RO-N Pro baseball
Amount ordered_____
Bid price per dozen 61.00 Southtown

SOFTBALLS

A) Dudley SB 12LND
Amount ordered_____
Bid price per dozen 46.90 Ludtka

B) Dudley P-12
Amount ordered_____
Bid price per dozen 37.40 Ludtka

C) Worth Red Dot
Amount ordered_____
Bid price per dozen 49.50 Southtown

D) Cooper 11" girls softball
Amount ordered_____
Bid price per dozen 41.00 Laux

ITEM 9 BATS

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

A) Rawlings 21BE softball wood bat
Amount ordered 27"_____
28"_____
29"_____
30"_____
31"_____
32"_____
Bid price per dozen 65.95 Laux
Total price_____

B) Worth 90SB official girls softball bats

Amount ordered
27"_____
28"_____
29"_____
30"_____
31"_____
32"_____

Bid price per dozen 74.95 Ludtka
Total price_____

C) Easton (re. grip) softball S-9. Black Max.

Amount ordered
33"_____
34"_____

Bid price per dozen 319.90 Ludtka
Total price_____

D) Easton softball S-3 Smoke

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

Bid price per dozen 269.95 Ludtka
Total price_____

E) Easton Aluminum bat, Little League L9 PRO

Amount ordered
27"_____
28"_____
29"_____
30"_____
31"_____
32"_____

Bid price per dozen 279.95 Ludtka
Total price_____

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

Amount ordered
32"_____
33"_____
34"_____

Bid price per dozen 204.00 Laux
Total price_____

G) Power Flite SBO softball aluminum bat

Amount ordered
29"_____
SBX 40
30"_____
31"_____
32"_____
Power Flite SBL
32"_____
SB 1
33"_____
34"_____

Bid price per dozen 131.40 Laux
Total price_____

H) Easton Aluminum bat L x 1

Amount ordered 27"_____
28"_____
29"_____
30"_____
31"_____
32"_____

Bid price per dozen 485.00 Ludtka

Total price_____

I) Easton Aluminum softball S5 Black Hammer

Amount ordered 27"_____
28"_____

Bid price per dozen 160.95 Laux

Total price_____

J) Adirondak TBWB 26"

Amount ordered_____

Bid price per dozen 68.50 Southtown

Total price_____

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

Amount ordered (JF) 26"_____
27"_____
28"_____
29"_____
30"_____
31"_____
32"_____

Bid price per dozen 79.95 Laux

Total price_____

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

Bid price per dozen 111.95 Laux

Total price_____

L) Louisville wood baseball bat

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

Bid price per dozen 97.50 Southtown

Total price_____

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

Bid price per dozen 129.95 Laux

Total price_____

M) Power Flite little league baseball bat.

Amount ordered PFS 26"_____
27"_____
28"_____

Bid price per dozen 132.60 Southtown
Total price_____

PF LLI 29"_____
30"_____
31"_____

Bid price per dozen 143.95 Laux
Total price_____

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

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

Bid price per dozen 215.95 Laux
Total price_____

ITEM 10 EQUIPMENT BAGS

A) Everlast 6885 standard bat bag holds 18 bats.

Amount ordered_____

Bid price each 10.75 Laux
Total price_____

B) TAG TBB940 heavy off-white linen laminated to vinyl lining holds 12 bats

Amount ordered_____

Bid price each 14.35 Laux
Total price_____

C) Heavy duty Army duffle utility bag

Amount ordered Birnbaums

Bid price each 14.50 Ludtka
Total price_____

D) Champro E002 waterproof bat bags 12½" x 39"

Amount ordered_____

Bid price each 10.40 Southtown
Total price_____

E) Champro E017 nylon bag 36" x 14"

Amount ordered_____

Bid price each 7.95 Southtown
Total price_____

ITEM 11 UMPIRE INDICATORS

A) Champion P1, palm size, plastic counter keeps track of balls, strikes and outs.

Amount ordered_____

Bid price each 1.10 Southtown
Total price_____

B) Everlast 6878 official stainless steel keeps track of balls, strikes and outs.

Amount ordered_____

Bid price each 1.85 Southtown
Total price_____

C) TAG molded plastic keeps track of balls, strikes and outs.

Amount ordered_____

Bid price each 1.15 Laux
Total price_____

D) TBA 20 plastic, keeps track of balls, strikes, outs and innings.

Amount ordered_____

Bid price each 1.15 Laux
Total price_____

A) Official baseball-softball HARD COVER
Bidders Note: List manufacturer, number of games and size. 25 games 8½ x 13
List Manufacturer Champion SC1
Amount ordered _____
Bid price each 2.10 Southtown
Total price _____

B) TAG Collegiate softball-baseball, slo-pitch 15 batters S1500 - 25 games.
Amount ordered _____
Bid price each 2.35 Laux
Total price _____

C) TAG Collegiate baseball-softball, standard 11 players S1100 - 25 games.
Amount ordered _____
Bid price each 2.35 Laux
Total price _____

ITEM 13 A) COLLEGIATE HEAVY DUTY T-BALL SETS BT 70
Amount ordered _____
Bid price each 16.50 Laux
Total price _____

B) MACGREGOR B7 HEAVY DUTY T-BALL SETS
Amount ordered _____
Bid price each 18.75 Southtown
Total price _____

C) CHAMPRO BO5O HEAVY DUTY BATTING TEE
Amount ordered _____
Bid price each 18.75 Southtown
Total price _____

ITEM 14 BASES

A) Everlast model #6810 nylon and canvas
Amount ordered _____
Bid price each 33.06 Laux
Total price _____

B) Everlast EBB780
~~Macgregor Major League bases B101~~
15"x15"x3" set of 3 bases and anchors.
Amount ordered _____
Bid price each 73.95 Laux
Total price _____

C) B95 base anchor for Macgregor "Major League" base
Amount ordered _____
Bid price each No award
Total price _____

D) Everlast model #6830 nylon hardball base
Amount ordered _____
Bid price each 29.64 Laux
Total price _____

E) Everlast #6850 nylon softball base
Amount ordered _____
Bid price each 27.92 Laux
Total price _____

F) Collegiate TBB 730 bases 15x15x3
Amount ordered _____
Bid price each 28.95 Laux
Total price _____

G) Collegiate TBB 733 bases 14x14x2
Amount ordered _____
Bid price each 26.90 Laux
Total price _____

H) Everlast 6861 Home Plate
Amount ordered _____
Bid price each 12.10 Laux
Toal price _____

I) TBB 701 (LL) Home Plate
Amount ordered _____
Bid price each 7.85 Laux
Total price _____

J) TBB 700 (Official League) Home Plate
Amount ordered _____
Bid price each 13.95 Laux
Total price _____

K) Everlast #6867 Pitchers Plate
Amount ordered _____
Bid price each 8.22 Laux
Total price _____

L) Collegiate TBB 704 (LL) Pitchers Plate
Amount ordered _____
Bid price each 5.95 Laux
Total price _____

M) Collegiate official TBB 703 Pitchers Plate
Amount ordered _____
Bid price each 7.95 Laux
Total price _____

N) Corbett SRB-c
size B33 set of 3 bases 14"x14"x2" with anchor
Amount ordered_____
Bid price each 119.95 Southtown
Total price_____

O) Champro B001 Hollywood base set complete
Amount ordered_____
Bid price each 119.95 Ludtka
Total price_____

ITEM 15 1) DRY LINE MARKER - steel tank, four 10" rubber wheels three way control, 100 lb. capacity.
List Manufacturer Stackhouse LHBM
Amount ordered_____
Bid price each 205.40 Southtown
Total price_____

2) DRY LINE MARKER - steel tank 2 rubber wheels, adjustable line from 2-4", 25 ~~28~~ lb. capacity.
List manufacturer_____
Amount ordered_____
Bid price each 71.95 Laux
Total price_____

ITEM 16 FIRST AID SUPPLIES

A) COLD PACK - Regular instant chemical ice compress approximate size 5½ x 9, double wall outer bag.
List manufacturer American Phys. Therapy
Amount ordered_____
Bid price ~~each~~ (case of 16) 6.50 Laux
Total price_____

B) JR. SIZE COLD PACK - Instant chemical ice compress approximate size 4 5/8 x 7 3/8.
List manufacturer_____
Amount ordered_____
Bid price ~~each~~ (case of 16) 13.65 Laux
Total price_____

C) RE-USABLE FLEXIBLE ice compress size 5½ x 9.
List manufacturer Cramer
Amount ordered_____
Bid price each 12.09 Laux
Total price_____

D) BANDAIDS (bulk) per gross
Standard size
List Manufacturer_____
Amount ordered_____
Bid price each No award
Total price_____

E) ALCOHOL WIPES (bulk) per gross
Individually wrapped
List Manufacturer_____
Amount ordered_____
Bid price each No award
Total price_____

ITEM 17 BASEBALL PITCHING MACHINE

A) Curve ball
List manufacturer Jugs
Bid price each 1330.00 Ludtka
Total price_____

B) Softball
List manufacturer Jugs
Bid price each 894.00 Laux
Total price_____

C) Combination Hardball - Softball
List manufacturer Jugs
Bid price each 1575.00 Ludtka
Total price_____

D) Generator - Jugs 1000
Bid price each 495.00 Laux
Total price_____

E) ATCC Soft Toss Pitching Machine
Bid price each 480.00 Ludtka
Total price_____

F) Jugs Junior Pitching Machine
Bid price each 894.00 Laux
Total price_____

G) Softball/baseball pitching machine
BSN #STSBMACH

Bid price each 1012.50 Southtown
Total price _____

H) STSBBATT special high charge battery

Bid price each 135.00 Southtown
Total price _____

I) Practice balls for pitching machine
(Softball & Baseball)

baseball doz.31.25 Southtown
Bid price each doz.36.60 Southtown
Total price softball

ITEM 18 MISCELLANEOUS ACCESORIES

A) Umpire Plate brush TAG TBA 135
Amount ordered _____

Bid price each 2.50 Laux
Total price _____

B) Umpire Plate brush ~~XXXXXXXXXX TAG TBA 135~~
List manufacturer All Star PB1-BLK
Amount ordered _____

Bid price each 1.95 Southtown
Total price _____

C) Baseball Glove
Replacing kit ~~XXXXXXXXXXXX~~
Amount ordered Rawlings GLK

Bid price each 4.95 Laux
Total price _____

D) Cooper RGRC replacement glove rawhide
48" long by 5/32" wide.
Amount ordered _____

Bid price each 2.40 Laux
Total price _____

E) SB10 softball caddy - holds 10 bats
and 10 balls, bat size 32" - 36"
Amount ordered _____

Bid price each 59.95 Ludtka
Total price _____

F) SB05 softball caddy - holds 5 bats
and 6 balls, bat size 32" - 36"
Amount ordered _____

Bid price each 56.95 Ludtka
Total price _____

G) SBL1 softball caddy - holds 10 bats
and 10 balls, bat size 28" - 34"
Amount ordered _____

Bid price each 59.95 Ludtka
Total price _____

H) SBL5 softball caddy - holds 5 bats
and 6 balls, bat size 28" - 34"
Amount ordered _____

Bid price each 56.95 Ludtka
Total price _____

I) BBL5 Little League caddy - holds 5 bats
and 8 balls, bat size 28" - 34"
Amount ordered _____

Bid price each 56.95 Ludtka
Total price _____

J) BBL1 Little League caddy - holds 10 bats
and 12 balls, bat size 28" - 34"
Amount ordered _____

Bid price each 59.59 Ludtka
Total price _____

K) BB10 baseball caddy - holds 10 bats
and 12 balls, bat size 32" - 36"
Amount ordered _____

Bid price each 59.59 Ludtka
Total price _____

L) Rawlings UBBD Umpire bag with indicator
and brush
Amount ordered _____

Bid price each 5.75 Laux
Total price _____

M) Bat Grip Machine BSN
Model BBGRIPMA
Amount ordered _____

Bid price each No award
Total price _____

N) Bat Grips - black only
One size fits all

Amount ordered_____

Bid price each No award

Total price_____

O) Kuranda Dolphin Super-Soper Diamond Drying Machine, 12 gallon holding tank. 24" diameter x 24" width. Manual one roller, weight 90 lbs.

Amount ordered_____

Bid price each No award

Total price_____

FOOTBALL EQUIPMENT AND ACCESSORIES

ITEM	APPROXIMATE QUANTITY	BID PRICE	
1) Helmets: Bike IV 7780 white with full blue cage	22	57.80	Laux
2) Neck Brace - Adams USA FCNR 23-2 inch	15	6.95	"
3) Collegiate Neck Roll	15	4.85	"
4) Collegiate PRO 50 shoulder pads Sizes: XL _____ L _____ M _____	62	29.95 29.95 29.95	" " "
Auxiliary shoulder pads	12	9.95	"
5) Rib Pads - Rawlings BRV-JR U.S.A.	20	21.95	"
6) Girdle - Sandknit YFS 10525 Sizes: XL _____ L _____ M _____	32	18.95	"
7) Thigh Pads - Collegiate TSF 300 Spirit	20	6.35	"
8) Knee Pads - Collegiate YKP	32	3.50	"
9) Footballs - Baden F-100 & F-200	6	7.95	"
10) Jersey - Sandknit 3/4 sleeve (game) Sizes: Small _____ (Youth) Medium_____	125	24.95	"
11) Pants - Sandknit (practice) Sizes: Small_____ (Youth) Medium_____	12	7.95	"
Pants - Sweats Navy Blue Soffee B7041 Sizes: Small_____ (Youth) Medium_____	10	7.25	"

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the remodeling of the Delavan Pump Station, which bids were received and publicly opened on December 18, 1989, 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 report to the Town Board dated January 9, 1990, and

WHEREAS, said report recommends that Contract A for General Mechanical Work be awarded to Dolomite Construction Company for submission of the lowest bid price meeting the requirements of the specifications and that contract B for Electrical Work be awarded to Warren's Electric for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that Contract A for General Mechanical Work for the Delavan Avenue Pump Station be and hereby is awarded to Dolomite Construction Company, 8600 Boll Road, Clarence Center, New York 14032 at the bid price of $78,700, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that contract B for Electrical Work at the Delavan Avenue Pump Station be and hereby is awarded to Warren's Electric Company, 77 Reading Street, Buffalo, New York 14220 in the amount of $12,660, said being the lowest bid meeting the requirements of the specifications, 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 Dolomite Construction Company for Contract A and Warren's Electric Company for Contract B, and BE IT FURTHER

RESOLVED that the total cost in the amount of $91,360 shall be chargeable to Account No. 05-8125-8823-1101.

* See next two (2) pages for letter

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

TO: William Rogowski, Chairman
Storm & Sanitary Sewer Committee

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

RE: Delavan Avenue Pump Station
Sanitary Sewer District No. 5

DATE: January 9, 1990

As part of our program to update and rehabilitate our sanitary sewer pump stations, the Town Board budgeted annually for this purpose. The Roycroft Pump Station was the last project. Our most current project is the replacement of the original pumps and controls of our 47± year old Delavan Avenue Pump Station. Bonding in the amount of $150,000 has been authorized for this renovation work.

The Town Board authorized the receipt of bids for this work at its meeting of December 4th. On December 18, 1989, bids were received at Town Hall for this renovation work under two separate contracts. Bids are as follows:

Contract A - General Mechanical

	Bid Item A-1	Alt. No. 1	Total
Dolomite Construction Co.	$ 72,000.00	$ 6,700.00	$ 78,700.00
John Danforth Company	73,190.00	6,600.00	79,790.00
Butler Mechanical	78,800.00	7,500.00	86,300.00
Dan Marzec Plumbing	95,851.00	18,240.00	114,091.00
Milherst Construction	137,220.00	25,000.00	162,220.00

Contract B - Electrical

	Bid Item B-1
Warren's Electric	$12,660.00
Buffalo Motor	13,648.00
CIR Electric	17,250.00
CVM Electric	19,039.00
Weydman Electric	19,994.00
National Electric	24,118.00

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

We are submitting a Town Board resolution for this coming January 15, 1990 Town Board Meeting for the award of the General Mechanical bid, Contract A, to Dolomite Construction Company for a bid total of $78,700.00. The Alternate No. 1 bids are costs for sewage flow bypassing around the pumps during a period when pumps and valves are being replaced by the contractor. The electrical bid, Contract B, is recommended to be awarded to Warren's Electric in the amount of $12,660.00.

The total bid award will amount to $91,360.00 which is well within our budget allocation.

CLB:dms

CC: A. Kulyk
P. Jaworowicz

Item No. 5c Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, sealed bids for four (4) flail mowers for the Facilities Department were received and opened on November 6, 1989 at a public bid opening, and

WHEREAS, said bids were reviewed by the Town Engineer and his recommendations are contained in a letter dated January 8, 1990, NOW, THEREFORE, BE IT

RESOLVED that the bid for four (4) flail mowers for the Facilities Department be awarded to S.V. Moffett Company, Inc., Thruway Park Drive, West Henrietta, New York 14586 for submitting the lowest bid in the amount of $10,552.00, said bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that said funds have been appropriated in the Facilities Department budget, Account No. 05-7110-8908-1203 for this purpose.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5d Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, bids were duly received and opened at a public bid opening on January 8, 1990 for the purchase of one (1) new video camera tractor unit for inspecting sanitary sewers, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated January 10, 1990, and

WHEREAS, funds have been budgeted in Account #05-8125-8823-1103 for this purpose, NOW, THEREFORE, BE IT

RESOLVED that the contract for the purchase of one (1) new video camera tractor unit, as recommended by the Town Engineer, be and the same is hereby awarded to Telespector Corporation, 1460 Opdyke Road, Auburn Hills, Michigan 48057 for their bid in the amount of $12,500, said bid being the lowest meeting the requirements of the specifications.

* See next page for report

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

January 10, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Purchase of One (1)
New Video Camera Tractor
Unit for Inspecting
Sanitary Sewers

Gentlemen:

At a public bid opening on January 8, 1990, bids were received and opened for one (1) new video camera tractor unit for inspecting sanitary sewers. Two (2) bids were received and are as follows:

BIDDER	BID PRICE
Telespector Corporation	$12,500.00
Foster's Equipment, Inc.	$28,322.00

The bids were reviewed by the Engineering Department and it is recommended that the bid be awarded to Telespector Corporation, 1460 Opdyke Road, Auburn Hills, Michigan 48057, said bid being the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski
Engineering Aide

HB:dms

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

Item No. 6a Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

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

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

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

RESOLVED that the sealed bids will be received on the 5th day of February, 1990 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990, at 11:00 A.M., Eastern Standard Time at the Town Hall corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 1990.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 15, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 .....JAN 18 1990..... ;
last publication .....JAN 18 1990..... ;
and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 18 1990
day of ....., 19.....

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 19

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990 at 11:00 am Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the supplying of Athletic White Stripe for the year 1990.

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

Richard M. Moleski
Town Clerk
DATED: January 15, 1990
PUBLISH: January 18, 1990

Item No. 6b Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

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

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

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

RESOLVED that sealed bids will be received on the 5th day of February, 1990 at 11:00 A.M., Eastern Standard time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990, at 11:00 A.M., Eastern Standard Time at the Town Hall corner of Broadway and Union Roads, for the Leasing and Servicing of Portable Chemical Toilets for the year 1990.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 15, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990 at 11:00 am Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the Leasing and Servicing of Portable Chemical Toilets for the year 1990.

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

Richard M. Moleski
Town Clerk
DATED: January 15, 1990
PUBLISH: January 18, 1990

Item No. 6c Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, annually requires Pool Maintenance Chemicals for the year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Furnishing of Pool Maintenance Chemicals, and BE IT FURTHER

RESOLVED that specifications for said Pool Maintenance Chemicals be obtained from the Town Clerk's Office in Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 5th day of February, 1990 at 11:00 A.M., Eastern Standard time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of Cheektowaga on February 5, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall corner of Broadway and Union Roads, for the furnishing of Pool Maintenance Chemicals for the year 1990.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 15, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 JAN 18 1990 ; last publication JAN 18 1990 ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this JAN 18 1990

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

Eve J. Allis

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1991

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990 at 11:00 am Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for the furnishing of Pool Maintenance Chemicals for the year 1990.

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

Richard M. Moleski
Town Clerk
DATED: January 15, 1990
PUBLISH: January 18, 1990

Item No. 6d Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, requires Softball and Hardball Diamond Supplies, and

WHEREAS, said supplies are required for the various Town sponsored Youth and Adult Programs, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for Softball and Hardball Diamond Supplies and BE IT FURTHER

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

RESOLVED that sealed bids will be received on the 5th day of February, 1990 at 11:00 A.M., Eastern Standard time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

* *

TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990, at 11:00 A.M., Eastern Standard Time at the Town Hall corner of Broadway and Union Roads, for Softball and Hardball Diamond Supplies for the year 1990.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 15, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 1990 at 11:00 am Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads for Softball and Hardball Diamond Supplies for the year 1990.

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

Richard M. Moleski
Town Clerk
DATED: January 15, 1990
PUBLISH: January 18, 1990

NO. 3

NO. 4

Item No. 6e Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, this Town Board has retained the services of Scaffidi & Moore, P.C. Architects, for the provision of professional services for Phase II development of the Alexander Avenue Community Center, and

WHEREAS, the Town Engineer advises that plans and specifications have been completed by Scaffidi & Moore, P.C. in anticipation of Town Board approval in order to comply with plans for utilization of the Alexander Avenue Community Center in the shortest time possible, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for construction associated with Phase II development of the Alexander Avenue Community Center, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received and opened on the 29th day of January, 1990 at 11:00 A.M., Eastern Standard Time, at public bid opening to be held in the Council Chambers of Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Separate, sealed bids for General Construction, Heating, Ventilating, Air Conditioning and Plumbing Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on January 29th, 1990 at 11:00 A.M. Eastern Standard Time, in the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (Including Information for Bidders and Form of Bid) and Plans for each project office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226. A copy may be obtained upon payment of $100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the require bid security, other than the successful, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted a bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidder and one half of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any informalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in the amount of not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

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

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

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

RICHARD M. MOLESKI
Town Clerk

DATED: January 15, 1990.

* *

Item No. 6e cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 ..... weeks:
JAN 1 8 1990
first publication ..... ;
JAN 1 8 1990
last publication ..... ;
and that no more than six days intervened between publications.

Scott Benson
.....

JAN 1 8 1990
Sworn to before me this .....

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

Eve J. Allis
.....

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

EVE J. ALLIS
Notary Public, State of New York
Qualified In Erie County
My commission expires March 30, 1991

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE TO BIDDERS

Separate, sealed bids for General Construction, Heating, Ventilating, Air Conditioning and Plumbing Work are invited and will be received, publicly opened and read on behalf of the Cheektowaga Town Board on January 29, 1990 at 11:00 am Eastern Standard Time in the Cheektowaga Town Hall, corner of Broadway and Union Roads for reconstruction projects at the Alexander Community Center, Alexander Avenue, Cheektowaga, New York.

Specifications (including Information for Bidders and Form of Bid) and Plans for each project may be examined at the office of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226. A copy may be obtained upon payment of $100.00 per set for each project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within fifteen (15) days following the receipt of bids for the project for which such bidder shall have submitted a bid or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidders, and one half of the deposit will be reimbursed for the return of all other copies of the plans and specifications in good condition following the award of the contract or the rejection of the bids covered by such plans and specifications.

The Cheektowaga Town Board reserves the right to waive any informalities in or to reject any or all bids, as the same is permitted by law.

Each bidder must deposit with his bid, security in an amount of not less than 10% of the Base Bid for each project bid in the form and subject to the conditions provided in the Information for Bidders.

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

Bids shall remain open for acceptance for 45 days subsequent to the opening thereof.

By Order of:
Richard M. Moleski
Town Clerk
Town of Cheektowaga
DATED: January 15, 1990
PUBLISH: January 18, 1990

Item No. 7 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, pursuant to the Environmental Impact 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 Impact Review Ordinance of the Town of Cheektowaga, is designated the lead agency in most instances, and

WHEREAS, since the Town Board is the lead agency, it must affirm or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, the Advisory Committee, at its meeting held on January 4, 1990, rendered the determinations shown on the attached memo dated January 9, 1990, and

WHEREAS, this Town Board has reviewed the applications submitted and recomendations made by the Environmental Advisory Committee for the items listed below, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the January 9, 1990 memo attached hereto:

Item VII 4796 Transit Road

* See next page for memo

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

The non-significant determination is conditioned on the final details being approved by the appropiate agencies and departments and documentions that shows approval by the New York State DEC and Erie County Department of Environment and Planning.

VII 4796 Transit - Proposed Storage Building

Applicant: Cayco Metal Products

Determination: Non-Significant With Conditions. The applicants submitted a new site plan showing drainage, location of the new building and other improvements to the property. The approval is conditioned upon submittal of an acceptable landscaping plan to the Planning Board, directing of roof drainage of the new building into the existing ditch at the rear of the property and demolition of the existing building which is in deteriorating condition.

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

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance. The EMS Board, which was created at that time, has completed a review and evaluation of new/renewal license applications for driver(s)/ attendant(s), and has recommended that the Town Board issue such licenses,and

NOW, THEREFORE, BE IT RESOLVED that the recommendations of EMS Board concerning the licensing of new/renewal driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, for a period to expire upon the expiration of such ambulance 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 new/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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

TOWN OF CHEEKTOWAGA AMBULANCE DRIVER/ATTENDENT LICENSE

NAME	ADDRESS	AMBULANCE COMPANY	EMT EXPIRES
Robert P. Voelker	N. Tonawanda, NY 14150	Town's Ambulance	5/31/92

Item No. 9 Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, the Town has begun a pilot program of recycling various items, including paper, cardboard and metal, and

WHEREAS, the recycling of such material, as well as other material, will become mandatory as a result of both Federal and State mandate, and

WHEREAS, by resolution dated June 5, 1989, a Recycling Department was created separate from the Sanitation Department, and

WHEREAS, the Recycling Department is, in effect, actually a part of the Sanitation Department, and

WHEREAS, it is in the best interests of the Town to consolidate the Sanitation Department with the Recycling Department, NOW, THEREFORE, BE IT

RESOLVED that the present Recycling Department be incorporated with the Sanitation Department, and BE IT FURTHER

RESOLVED that such departments shall hereafter be known as the Sanitation Department and Recycling Division, and BE IT FURTHER

RESOLVED that the Town employees employed as Recycling Drivers and/or Recycling Collectors (laborers) are hereby transferred to the Sanitation Department and Recycling Division.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10a Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

BE IT RESOLVED that the salaries of the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1990:

Disaster Coordinator		$11,550.00
Mail Clerk - Part Time		$ 6,037.50
Bingo Inspector	(5)	$ 5,915.70
Chairman	(1)	$ 6,193.95
Planning Board	(5)	$ 2,859.15
Secretary	(1)	$ 3,619.35
Chairman	(1)	$ 4,224.15
Zoning Board	(4)	$ 3,370.50
Chairman	(1)	$ 4,679.85
Assessment Review Board	(4)	$ 1,187.55
Chairman	(1)	$ 1,476.30
Police Matrons	(2 1/2)	$ 8,873.55
School Crossing Guards		$ 6.04/hour
Recreation Attendants		$ 8,041.95

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10b Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

BE IT RESOLVED that the salary of the Clerk Stenographer in the Town Council Office be established as follows:

Item No. 10b cont'd

Effective January 1, 1990	Effective May 4, 1990
$19,627.27	$20,358.22

and BE IT FURTHER

RESOLVED that the salary of the Clerk-Stenographer in the Office of Coordinator of Employee Relations be established at $24,067.69, effective January 1, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Rogowski and Blachowski
NAYES: Councilman Solecki
ABSENT: 0

Item No. 11 Motion by Councilman Kulyk, Seconded by Councilman Rogowski

BE IT RESOLVED that the position of Recycling Coordinator in the Sanitation/Recycling Department be and hereby is abolished.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Kulyk, Seconded by Unanimous

WHEREAS, the Residency Law of the Town of Cheektowaga provides that every employee of the Town shall be a resident of the Town, and

WHEREAS, by resolution of September 6, 1988, Bruce R. Fenwick was appointed to the position of Coordinator of Employee Relations with the stipulation that he "obtain residency within the Town of Cheektowaga within 6 months", and

WHEREAS, as of the date of this resolution, Mr. Fenwick has not complied with the aforesaid Residency Law and the resolution for his employment, NOW, THEREFORE, BE IT

RESOLVED that Mr. Bruce R. Fenwick be and he hereby is terminated as an employee of the Town of Cheektowaga, effective April 30, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilman Jaworowicz, Seconded by Unanimous

WHEREAS, there will be a vacancy in the position of Chief of Police, effective February 1, 1990, when Robert M. Lis retires, and

WHEREAS, candidates for Chief of Police have been interviewed, and

WHEREAS, Bruce D. Chamberlin appears on the eligible list for Chief of Police and has had many years of experience in the Cheektowaga Police Department, NOW, THEREFORE, BE IT

RESOLVED that Bruce D. Chamberlin be and hereby is appointed to the position of Chief of Police, effective February 1, 1990, at a salary of $54,099.66,

Item No. 13a cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Jaworowicz, Seconded by Unanimous

WHEREAS, there will be a vacancy in the position of Assistant Chief of Police, effective February 1, 1990, upon the promotion of Bruce D. Chamberlin to Chief of Police, and

WHEREAS, candidates for Assistant Chief of Police have been interviewed, and

WHEREAS, John F. Schaller appears on the eligible civil service list for Assistant Chief of Police and has had many years of experience working in the Cheektowaga Police Department, NOW, THEREFORE, BE IT

RESOLVED that John F. Schaller be and hereby is appointed to the position of Assistant Chief of Police, effective February 1, 1990, at a salary of $49,011.76.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13c Motion by Councilman Solecki, Seconded by Councilman Kulyk

WHEREAS, there are two vacancies for the position of Assistant Working Foreman in the Sanitation Department, and

WHEREAS, Frank Orlikowski and Thomas Carney have applied for and meet the requirements for the position, NOW, THEREFORE, BE IT

RESOLVED that Frank Orlikowski of One Zent Court, and Thomas Carney of 3125 Broadway, be and hereby are appointed to the positions of Assistant Working Foreman in the Sanitation Department, at a salary in accordance with the Collective Bargaining Agreement between the Town of Cheektowaga and the Town Supervisory Unit.

* *

MOTION BY COUNCILMAN KULYK, SECONDED BY SUPERVISOR SWIATEK
TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

Motion by Councilman Solecki, Seconded by Councilman Kulyk

WHEREAS, there are two vacancies for the position of Assistant Working Foreman in the Sanitation Department, and

WHEREAS, Frank Orlikowski and Thomas Carney have applied for and meet the requirements for the position, NOW, THEREFORE, BE IT

Item No. 13c cont'd

RESOLVED that Frank Orlikowski of and Thomas Carney of be and hereby are appointed to the positions of Assistant Working Foreman in the Sanitation Department, at a salary in accordance with the Collective Bargaining Agreement between the Town of Cheektowaga and the Town Supervisory Unit, said appointments shall be probationary for six (6) months.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13d Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED that the following individuals be and hereby are reappointed to a three-year term to the Cheektowaga Traffic Safety Commission, said term to expire December 31, 1992.

Charles Getz
Theodore Kurk
Mary Lou Penkalski

and BE IT FURTHER

RESOLVED that Patrick Costrine and John Sandilands be and hereby are appointed as ex-officio members of the Cheektowaga Traffic Safety Commission for a three-year term expiring on December 31, 1992.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13e Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, a vacancy exists in the position of Bingo Inspector, NOW, THEREFORE, BE IT

RESOLVED that Joann Burst of be and hereby is appointed to the position of Bingo Inspector, effective immediately, for a term expiring December 31, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, and Rogowski
NAYES: Councilman Solecki and Blachowski
ABSENT: 0

Item No. 14 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, the current term of Salvatore LaGreca as Planning Board Chairman expires on February 2, 1990, and

WHEREAS, Mr. LaGreca has performed his duties to the satisfaction of this Town Board during his tenure as member and Chairman, NOW, THEREFORE, BE IT

RESOLVED that Salvatore LaGreca, of be and hereby is re-appointed as Chairman of the Cheektowaga Planning Board for a seven-year term, ending February 2, 1997.

Item No. 14 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Kulyk, Seconded by Supervisor Swiatek

BE IT RESOLVED that Ann Marie Wojciechowski of be and hereby is hired as a part-time clerical employee in the Office of the Coordinator of Employee Relations at an hourly rate of $5.25 per hour, effective January 16, 1990; and BE IT FURTHER

RESOLVED that Cheri Cyrankowski of and Lisa Pietrowski of be and hereby are hired as part-time clerical employees, not to exceed twenty (20) hours per week, in the Sanitation Department, at an hourly rate of $5.00 per hour, retroactive to January 1, 1990, and BE IT FURTHER

RESOLVED that Scott Stevenson of and Dale Galley of be and hereby are hired as seasonal laborers in the Sanitation Department, for a period not to exceed 24 consecutive weeks in a calendar year, on an as-needed basis, at an hourly rate of $5.00 per hour, retroactive to January 1, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

BE IT RESOLVED that Kristen Mulcahy, Cheektowaga, New York be hired as a Clerk in the Youth ureau's Administrative Intern Program at a salary rate of $5.00 per hour, and BE IT FURTHER

RESOLVED that monies for such salary be appropriated from line item (01-7310-0001-1804).

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Jaworowicz, Seconded by Councilman Kulyk

WHEREAS, the last Agreement between the Town of Cheektowaga and the Chief of Police and Assistant Chief of Police expired by its terms on December 31, 1989, and

WHEREAS, the Town has previously entered into agreements with the Chief of Police and Assistant Chief of Police setting forth the various terms and conditions of employment, and

WHEREAS, the parties are desirous of entering into a successor Agreement setting forth such terms and conditions for the calendar year 1990, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor is hereby directed to enter into the attached Agreement with the Chief and Assistant Chief of Police setting forth the terms and conditions of employment for such positions for the year 1990.

* See next pages for Agreement

AGREEMENT
BETWEEN
THE TOWN OF CHEEKTOWAGA
AND
THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

THIS AGREEMENT, entered into the 19TH day of JANUARY, 1990, by and between the TOWN OF CHEEKTOWAGA, hereinafter referred to as the "Town" and the CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE, hereinafter referred to as the "Chief".

WHEREAS, the parties hereto have previously entered into Agreement setting forth the various terms and conditions of employment for the positions of Chief of Police and Assistant Chief of Police; and

WHEREAS, the last Agreement between the parties expired by its terms on December 31, 1989; and

WHEREAS, the parties are desirous of entering into a successor Agreement setting forth terms and conditions of employment for the calendar year 1990;

NOW, THEREFORE, it is agreed as follows:

1.) The provisions of this Agreement shall be effective for the calendar year of 1990, commencing January 1, 1990.

2.) Both the Chief of Police and the Assistant Chief of Police shall receive the sum of six hundred and fifty dollars ($650.00) each for the purchase and maintenance of police clothing, uniforms and equipment. The Chief of Police and the Assistant Chief shall be responsible for the maintenance of their uniforms and equipment.

3.) The Chief of Police shall receive as salary for the year 1990 the sum of $61,828.18.

4.) The Assistant Chief of Police shall receive as salary for the year 1990 the sum of $49,011.76.

5.) That upon each person's anniversary date of hire, the Chief of Police and Assistant Chief of Police shall receive, as a longevity payment, the following:

Chief.....$1,450.00
Assistant Chief.....$1,150.00

6.) The work day of both the Chief of Police and the Assistant Chief of Police shall consist of variable hours, dependent upon other things, his duties, meetings to be attended, and the needs of the Department. Both the Chief of Police and the Assistant Chief of Police shall work an amount of hours at least equal to that of the Captain or Lieutenant working the most number of hours during the year. The hours worked shall be documented by a daily attendance record, signed and attested to by the Chief of Police. In recognition of the variable hours, both the Chief of Police and Assistant Chief of Police shall receive an additional sum of $2,108.00, to be added to the salaries set forth above and pro-rated with his regular salary on a weekly basis.

7.) The Chief and the Assistant Chief of Police shall receive compensatory time off or be paid the value of the certain holidays granted to the members of the Cheektowaga Police Club, Inc. whether each works the holiday or holidays or not.

8.) The Chief of Police and the Assistant Chief of Police shall be allowed, as annual vacation with pay, the following number of days:

After fifteen (15) years of service.....27 working days
After twenty (20) years of service.....30 working days

In the event either the Chief or the Assistant Chief of Police shall have at least seventeen (17) years of service, he may elect to be paid the value of up to ten (10) days of accumulated vacation in lieu of time off. In such an event, the individual shall notify the Town of such before November 15th and payment for such shall be made prior to December 31st.

9.) Upon the retirement of either the Chief of Police or Assistant Chief of Police, the individual shall be paid the monetary value of any accrued vacation time or compensatory time to his credit. In the event of the death of either the Chief of Police or the Assistant Chief of Police, the payment of such shall be made to his estate.

10.)Upon prior request, notification, and approval, both the Chief and Assistant Chief of Police shall be entitled to paid bereavement leave days of up to five (5) per occurrence in the event of death of his: parents, spouse, child, grandchild, grandparent, brother, sister, or in-law relative.

11.) The Chief of Police and the Assistant Chief of Police shall each be entitled to five (5) personal leave days per calendar year, which days shall be non-cumulative. In the event such days are unused at the end of the calendar year, they shall be credited to the individual's accumulated vacation or sick leave, at the individual's option.

12.) Both the Chief of Police and the Assistant Chief of Police will earn and accumulate sick leave at the rate of one and one-half (1½) days per month, to a maximum of three hundred (300) days. In the event the maximum accumulation is reached, either individual may sell back to the Town any days in excess thereof, up to a maximum of nine (9) days, as long as the amount of accumulation remains at 300 days after such sell back.

13.) In the event of the use of sick leave in excess of six (6) consecutive working days, the Town may require a medical statement attesting to the individual's sickness or injury.

14.) In the event either the Chief of Police or the Assistant Chief of Police has exhausted all accumulated sick leave, the Town Board, in its sole discretion, may grant additional sick leave, not to exceed ninety (90) additional days, upon terms and conditions the Town Board may deem proper and necessary.

15.) In the event the Chief of Police or the Assistant Chief of Police is injured or is taken sick in the performance of his duties, he shall be entitled to the benefits as set forth in Section 207(c) of the General Municipal Law of the State.

16.) The Chief or the Assistant Chief of Police will be entitled to use sick leave in the event of his sickness or injury, or the sickness or injury of his spouse, if residing in the same household, or of minor children or step-children.

17.) One (1) year prior to retirement, the Chief or the Assistant Chief of Police may convert any accumulated sick leave into cash by written application to the Town signifying his intention to retire. Such application shall be delivered to the Town Board. The conversion of accumulated sick leave into cash shall be at the rate of sixty-five percent (65%) during 1990.

18.) In the event the Chief of Police or the Assistant Chief of Police is required to leave the geographic limits of the Town as a result of either of their employment, he shall be reimbursed for his actual, reasonable and necessary expenses, including and not limited to all meals while on official police business. The Town shall provide the Chief or the Assistant Chief of Police with transportation.

19.) The Town will continue to provide both the Chief and the Assistant Chief of Police with $25,000 group life insurance policy.

20.) The Town will continue to provide the Chief and the Assistant Chief of Police with medical, dental and vision insurance on a level at least equal to that provided to the Cheektowaga Police Club, Inc. In the event of the death of the

Chief or the Assistant Chief of Police while employed by the Town, the Town will continue to provide such insurance coverage to his surviving spouse and dependents, if any, until such time as the surviving spouse should remarry, die, or become eligible for insurance coverage through the spouse's employment. Upon retirement of either the Chief or the Assistant Chief of Police, the Town will continue to provide such insurance to the individual until age 65, at which time it will provide the applicable insurance coverage as medicare supplemental coverage.

21.) The Town will continue to provide to the Chief and the Assistant Chief of Police a non-contributory retirement plan, as previously agreed.

22.) In the event of disciplinary action or complaints against the Chief or the Assistant Chief of Police, the individual will be provided of any documents entered into his personal file and shall be afforded the opportunity to respond thereto.

23.) The Town will pay the full cost of tuition, fees and books for any previously authorized police science course or seminars attended.

24.) The Chief or the Assistant Chief of Police will be granted a leave of absence, with or without pay, as provided for pursuant to the Civil Service Law in the State of New York.

25.) The Town will continue to provide payroll savings plan and U.S. Savings Bond payroll deduction, as previously agreed to.

26.) The Chief and Assistant Chief of Police shall be entitled to educational incentive as follows. For an Associate Art and Science Degree (two-year program) in a New York State Department of Education approved police science or justice program, the sum of two hundred dollars ($200.00); for a Bachelor of Science or Bachelor of Arts Degree in a New York State Department of Education approved police science or criminal justice program, the sum of five hundred dollars ($500.00); for a Masters Degree or better in a New York State Department of Education approved police science or criminal justice program, the sum of six hundred dollars ($600.00).

27.) This Agreement shall become effective January 1, 1990 and remain in full force and effect until December 31, 1990.

IN WITNESS HEREOF, the parties have hereto set their hands and seals this 19th day of January, 1990.

TOWN OF CHEEKTOWAGA

SUPERVISOR

CHIEF OF POLICE

ASSISTANT CHIEF OF POLICE

Item No. 17 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18a Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

WHEREAS, the 1990 Annual Meeting of the Association of Towns will be held at the New York Hilton Hotel in New York City from February 18th-21st, 1990, and

WHEREAS, during such meeting, sessions covering numerous municipal related topics of interest to Town officials are held, and

WHEREAS, it is advantageous to the Town to have certain Town officials attend this meeting, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are authorized to attend the 1990 Annual Meeting of the Association of Towns:

Town Board Members
Town Assessor
Town Engineer
Town Clerk
Chief Accountant
Superintendent of Highways
Town Historian
Working Foreman, Sanitation Department
Chairman, Planning Board
Chairman, Zoning Board

and BE IT FURTHER

RESOLVED that Councilman Dennis H. Gabryszak be and hereby is designated as the official Voting Delegate to represent the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Town shall reimburse the above named individuals for their reasonable and necessary expenses incurred in attending such meeting out of budget line item number 01-1910-0004-4082.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18b Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 4-7, 1990 at the Sheraton Buffalo Airport Inn, 2040 Walden Avenue, Cheektowaga, New York, and

WHEREAS, said seminar provides 18 of the 24 mandatory credit hours of New York State in-service training, and

WHEREAS, the Director of Community Development has recommended that the Town's Housing Inspectors be authorized to attend said seminar, NOW, THEREFORE, BE IT

Item No. 18b cont'd

RESOLVED that Lawrence Kensy and Richard Willis be and hereby are authorized to attend said educational seminar on February 4, 5, 6, and 7, 1990 at the Sheraton Buffalo Airport Inn, at a cost of $130.00 per person, said costs to be paid from the Community Development and Building Inspection Department budgets.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to January 15, 1990 are hereby approved and made a part hereof:

FUND	AMOUNT
GENERAL FUND	$3,145,546.40
HIGHWAY FUND	483,624.55
CAPITAL FUND	1,282,692.09
TRUST & AGENCY FUND	19,042.05
PART TOWN FUND	50,214.23
HUD-RENTAL REHAB. FUND	1,240.00
RISK RETENTION FUND	38,026.59
HUD-STATE AHC FUND	3,336.40
HUD-REHAB. FUND	10,996.10
SPECIAL DISTRICT FUND	1,411,905.10
DEBT RESERVE FUND	56,393.00
	$6,503.196.51

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Supervisor's Statement of Funds - November 1989
Received and Filed.

Item No. 21 Office of Disaster Preparedness - Quarterly report - October to December 1989
Received and Filed.

Item No. 22 Planning Board - minutes of December meeting.
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23 N.Y.S. Dept. of Trans. - Notice of Order - Intersection of Route 78 and N. Transithill Drive
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Robert Lis, Chief of Police; Chris Kowal, Highway Superintendent.
Received and Filed.

Item No. 24 Notice of Claim - Dell Jones vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Robert Lis, Chief of Police; S.I.S. Insurance, Insurance Carrier.
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Supervisor Swiatek, Seconded by Councilman Kulyk
to suspend the rules to include the following item.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, Section 284 of the State Highway Law provides that moneys levied and collected for the repair and improvement of town highways shall be expended at such places and in such manner as agreed upon by the Town Board and highway superintendent and approved by the county highway superintendent, and

WHEREAS, the attached Agreement to Spend Town Highway Funds has been prepared for the expenditure of $351,458.00 in 1990, and

WHEREAS, such Agreement is acceptable to the Town Highway Superintendent, and this Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts and approves such Agreement, and BE IT FURTHER

RESOLVED that the attached Agreement to spend Town Highway Funds be signed by Town Board Members.

* See next pages for agreement

A.C. 984 (Rev. 1970)

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

ERIE COUNTY
D.P.W.
HIGHWAYS-BFLC.
1990 JAN 22 AM 11:12

TOWN OF CHEEKTOWAGA

COUNTY OF ERIE

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of $351,458. may be expended for general repairs upon 190.55 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(a) On the road commencing at as per attached schedule (two pages)
and leading to _____, a distance of _____ miles,
there shall be expended not over the sum of $_____
Type _____ Width of traveled surface _____
Thickness _____ Subbase _____
$106,592.00 CHIPS FUNDS to be used for Rehabilatation w/heat recycling and milling (as shown on schedule attached)

(b) On the road commencing at _____
and leading to _____, a distance of _____ miles,
there shall be expended not over the sum of $_____
Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

(c) On the road commencing at _____
and leading to _____, a distance of _____ miles,
there shall be expended not over the sum of $_____
Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction.

This agreement shall take effect when it is approved by the County Superintendent of Highways.

Executed in duplicate this 15th day of January, 1990.

Supervisor FRANK E. SWIATEK

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

Town Superintendent
Christopher J. Kowal

The foregoing Agreement is hereby approved this 1 day of Feb, 1990

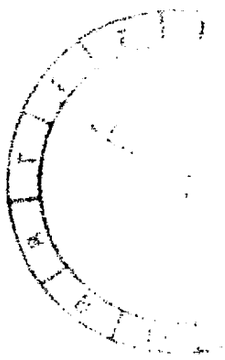
County Superintendent of Highways

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. *COPIES DO NOT HAVE TO BE FILED IN ALBANY.*

1990 SPECIAL IMPROVEMENTS PAVING LIST

Sq.Yds.	Street Name	Mi.Pt.	From - To	L X W	Const. Notes	Prep. Req.	Heat Recy.
4885	Anderson Rd.	.297	Dale Rd. to Walden	1570 x 28	Heated in 89	Yes	
2427	Arthur St.	.159	Broad St.to Genesee	840 x 26	No Curbs	Yes	3,640
5413	Balbach Dr.	.329	Beach to Peinkofer	1737 x 28	Water '89	Yes	8,119
867	Beaverbrook Ct.	.057	Brookedge to Court	300 x 26	Do not pave over curbs	Yes	1,300
8089	Brookedge Rd.	.530	Borden to Borden	2800 x 26	Do not pave over curbs	Yes	12,131
667	Edward Ct.	.039	Cleveland to end	207 x 29	Pipe job '89	Yes	1,000
2022	Francine Dr.	.123	Gaby to St. Joan	650 x 28	Do not pave over curb apron	Yes	
1525	Gaby Lane	.093	Yvette to Gabrielle	490 x 28	Do not pave over curb apron	Yes	
4278	Greenleaf Dr.	.260	Ridge Pk.to Harlem	1325 x 28	Park ent.	yes	6,417
867	Deepwood Ct.	.057	Brookedge to Court	300 x 26	Do not pave over curb	Yes	1,300
5755	Judith Dr.	.350	French to Theresa	1850 x 28	Do not pave over curb apron	Yes	
4278	LeHarve	.260	Towers to E.Rouen	1375 x 28	"	Yes	
3951	Lloyd Dr.	.240	N.Creek to Joseph	1270 x 28	"	Yes	
1555	Ridge Park Dr.	.095	Straley to Greenleaf	500 x 28	Ent.-Tn.Pk.	Yes	2,332
8571	So.Creek Dr.	.522	Nagel to Benbro	2755 x 28	curb-1 side	Yes	
4324	Theresa Dr.	.263	French to Judith	1390 x 28	Do not pave over curb apron	Yes	

Sq. Yds.	Street Name	Mi. Pt.	From-To	L X W	Const. Notes	Prep. Req.	Heat Recy.	Mill
3547	Trudy Lane	.216	Ceil to end	1140 x 28	Do not pave over curb apron	Yes		3,54
4278	Westchester Dr.	.260	Harlem to Ridge Park	1375 x 28	Park ent.	Yes	6,417.00	
7049	Sugar Rd.	.462	Eggert to Delevan	2440 x 26	No curbs	Yes	10,573.00	
374	Cass Ave.	.022	Cayuga Crk.Rd. to end	120 x 28	Recon- struct	Yes		



Item No. 25 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Rogowski, Seconded by Councilman Blachowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

PUBLIC HEARING

The following minutes are from a Public Hearing which was held at 7:00 P.M. prior to the Town Board meeting of February 5, 1990. The Public Hearing dealt with the Proposed Local Law No. 1 of Year 1990 "Local Law for Collection of Garbage, Rubbish & Refuse".

** Immediately following the Public Hearing minutes are the minutes of the Town Board meeting of December 5, 1988.

P U B L I C H E A R I N G S
(held prior to Town Board meetings)

NO.	ITEM
	Meeting No. 3 February 5, 1990
1	Proposed Local Law No. 1 of Year 1990 - "Local Law for Collection of Garbage, Rubbish & Refuse"
2	Special Use Permit at 1989 Harlem Road for sale of used cars & trucks
3	Rezoning at 2605 Harlem Road from R-Residential Dist. to RC-Restricted Business District
4	Rezoning at 81 Rachelle Drive from R-Residential Dist. to RA-Apartment Dist.
	Meeting No. 4 February 26, 1990
1	Community Development Block Grant Program - Statement of Objectives and Proposed Use funds

RECEIVED
1990 FEB 14 P 11:42
CHEEKTOWAGA
TOWN CLERK

Minutes of Public Hearings held before the Cheektowaga Town Board at the Town Hall, corner of Broadway and Union Road, on the 5th day of February, 1990, commencing at 7:00 o'clock, p.m., pursuant to Legal Notices.

PRESENT:

CHEEKTOWAGA TOWN BOARD:
Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jaqueline A. Blachowski

Richard M. Moleski, Town Clerk

* * * * *

SUPERVISOR SWIATEK: Good evening, ladies and gentlemen. We'd like to welcome all of you to our Cheektowaga Town Board meeting.

We'll begin the meeting with four public hearings, the first one being the Proposed Local Law No. 1 of the Year 1990, "Local Law for collection of garbage, rubbish and refuse," the second being the Special Use Permit for sale of used cars and trucks, the third is a rezoning at 2605 Harlem Road, and then finally a rezoning at 81 Rachelle Drive.

I'm going to ask that the Town Clerk read the meeting notice relative to No. 1 and then Councilman Dick Solecki will have some brief comments. I do want to stay extremely organized this evening. We have a very special guest at 8:15, his Excellency, Buffalo Bishop Edward Grosz who's recently been elevated to Auxiliary Bishop in the City of Buffalo,

and he will be with us at 8:15. So we do want to stay on target and organized. And I intend to do that from this particular chair, so I would ask your cooperation this evening.

Okay, let's begin. Mr. Clerk.

* * * * *

ITEM NO. 1: Proposal to Enact Local Law No. 1 of the Year 1990 entitled "A Local law for the Collection of Garbage, Rubbish and Refuse."

MR. MOLESKI: Notice of hearing on Proposal to adopt a local law for the collection of garbage, rubbish and refuse.

Notice is hereby given that pursuant to the Municipal Home Rule Law of the State of New York, a public hearing will be held before this Board on the 5th day of February to consider and discuss and, if need be, act upon the proposal to enact Local Law No. 1 of the Year 1990 entitled, "A Local Law for the Collection of Garbage, Rubbish and Refuse". A brief description of Local Law No. 1 of the Year 1990 is as follows:

A local law establishing new procedures and fees for the collection of garbage, rubbish and refuse within the Town of Cheektowaga."

A copy of the complete text of "Local Law No. 1 of the Year 1990" shall be on file in the Town Clerk's Office in the Cheektowaga Town Hall, where the same may be examined during regular business hours. By Order of the Town Board of the Town of Cheektowaga.

(Whereupon, the following was copied into the record at the request of the Town Clerk:

(GARBAGE, RUBBISH AND REFUSE
COLLECTION LAW OF THE TOWN OF CHEEKTOWAGA, NEW YORK

32-1. Title; Applicability

32-2. Purpose

32-4. Separation and Preparation

32-5. Receptacles and Storage

32-6. Placement of Receptacles for Collection

32-7. Collection and Disposal

32-8. Prohibited Deposits or Accumulations

32-9. Supervision; Promulgation of Rules

32-10. Penalties for Offenses

32-11. Validity

32-12. Effective Date

32-1. Title; Applicability

A. This chapter shall be known and may be cited as the "Garbage Rubbish and Refuse Collection Law of the Town of Cheektowaga, New York"

B. This chapter shall apply to and affect only such part of the Town of Cheektowaga as is outside of the Villages of Sloan and Depew.

32-2. Purpose

This chapter is adopted in order to promote and protect the public helath and safety, comfort, convenience, prosperity and other

aspects of the general welfare of the residents of the Town of Cheektowaga and, in addition thereto, to protect property, preserve property values and eliminate fire, safety and health hazards by regulating the collection, storage and disposal of garbage, rubbish and refuse within the Town of Cheektowaga.

32-3. Definitions

The following words as used in this chapter, shall have the meanings hereby ascribed thereto unless the context clearly indicates a different meaning:

A. GARBAGE: All table refuse; animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food; offal from meat, fish and fowl; fruits, vegetables and parts thereof; and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded.

B. NONRECYCLABLE REFUSE AND RUBBISH: Shall mean waste material discarded as useless or worthless trash, including but not limited to rags, sweepings, rubber, leather, crockery, shells, clothing, straw, dirt and ashes.

C. RECYCLABLE RUBBISH: Shall mean rinsed food containers, such as metal cans, glass and plastic food containers; newspaper, magazines, cardboard, and flat paper; plastic materials and bottles with metal rings and tops removed.

D. CONSTRUCTION DEBRIS: Shall mean discarded building material, concrete, stones, earth from excavations or grading and all other refuse matter resulting from the erection, repair or demolition of buildings, structures or other improvements of property.

E. MAJOR APPLIANCES: Shall mean a large and/or bulky household mechanism (as a refrigerator, washer, dryer, stove, etc.) ordinarily operated by gas or electric current.

F. LARGE HOUSEHOLD FURNISHINGS: Shall mean all other large and/or bulky articles actually used in the home and which equip it for living (as chairs, sofas, tables, beds, carpets, etc.)

G. BRUSH: Shall mean cuttings from shrubs, hedges, and trees which are more than four inches in diameter.

H. TREE PARTS: Shall mean cuttings from shrubs, hedges, and trees which are more than four inches in diameter.

I. RESIDENTIAL PRODUCERS: Shall mean those persons, owners or occupants of single or multifamily dwellings, used exclusively for residential purposes, which produce garbage, nonrecyclable refuse and recyclable rubbish.

J. NONRESIDENTIAL PRODUCERS: Shall mean any producer of garbage, refuse and recyclable materials other than a residential producer, including, but not limited to commercial or industrial businesses, restaurants, plazas, malls and the like.

K. SOLID WASTE: Shall mean, but not be limited to, garbage, non-recyclable rubbish, recyclable rubbish, construction debris, major appliances, large household furnishings, brush and tree parts, grass and leaves.

L. PERSON: Shall mean an individual, owner, occupant, society, group, firm, partnership, corporation or association of persons and the singular number shall include the plural number.

M. SCAVENGER: Shall mean a person that collects and removes refuse and searches through garbage for salvageable material.

N. GARBAGE RECEPTACLE: Shall mean a container with handles and tight-fitting cover made of galvanized metal not exceeding twenty (20) gallons capacity or vinyl not exceeding thirty (30) gallons capacity which are airtight and watertight; or a disposable plastic or heavy paper bag of sufficient strength to prevent breakages which, when closed by lacing, is airtight and watertight.

O. DUMPING: Shall mean throwing, depositing, or burning of solid waste in or upon any public highway, street, or other public place.

P. None of the terms defined in this section shall be deemed or construed to include vehicular tires, tire casings, oil or batteries.

32-4. Separation and Preparation

A. Each person who places items at the curb for collection and disposal by the Town of Cheektowaga shall separate non-recyclable rubbish from recyclable rubbish and prepare the same for collection and disposal in accordance with this chapter.

B. Garbage and non-recyclable rubbish shall be placed in garbage receptacles for collection and disposal. Garbage receptacles filled shall not exceed fifty (50) pounds in weight.

C. Recyclable rubbish shall be placed in suitable sanitary containers or bundled as herein provided. Recyclable rubbish shall be separated for collection as follows:

1. Discarded newspapers and flat non-glossy paper shall be separated from other recyclable rubbish for separate collection and shall be securely tied in bundles not to exceed forty (40) pounds. Plastic bags are not acceptable.

2. Discarded cardboard shall be separated from other recyclable rubbish for separate collection and shall be securely tied in bundles not to exceed forty (40) pounds. Cardboard containers or boxes shall be disassembled, flattened and bundled.

3. Effective as of date designated by the Recycling Division of the Town of Cheektowaga, each person shall provide separate galvanized cans or clear plastic bags for the collection of glass, metal and plastic recyclables. Such containers shall not exceed twenty (20) gallons capacity and when filled, shall not exceed fifty (50) pounds. Glass, metal and plastic recyclables shall have the contents removed, be thoroughly drained of liquid and rinsed prior to being deposited for collection. Caps and rims shall be removed from glass and plastic recyclables.

D. Any and all brush and tree parts produced by the individual activity or efforts of the owner or occupant of the premises shall be tied in bundles not to exceed forty-eight (48) inches in length and twelve (12) inches in diameter and weighing no more than fifty (50) pounds.

E. Any and all construction debris which results from work performed by an owner or resident individually, may be placed for collection by the Town of Cheektowaga and must be placed in containers or tied in bundles not to exceed forty-eight (48) inches in length and twelve (12) inches in diameter and weighing not more than fifty (50) pounds, except that the quantity of such debris may not exceed ten (10) containers or bundles per week. Quantities of such debris in excess of the amount stated shall be removed by the property owner or resident at his expense.

F. All major appliances or large household furnishings not capable of being placed in receptacles or bundles as provided herein, may be placed at the curbline or pavement line only on the scheduled pick up collection day for that area. It shall be the sole responsibility of the owner to dismantle the appliance or furnishing so that it will not be a hazard to the public. Specifically, all refrigerator and freezer doors must be removed by the owner. Compressers must also be removed.

G. All cut grass and garden clippings shall be placed in bushel baskets or galvanized containers or clear plastic bags of not more than twenty (20) gallons capacity, and when filled weigh not more than fifty (50) pounds. Leaves, at times other than regularly scheduled fall street collections, shall be placed in bushel baskets or galvanized containers or clear plastic bags of not more than twenty (20) gallons capacity and when filled, weigh not more than fifty (50) pounds.

H. Solid waste shall not be placed on any public street or on any premises unless the same is in a container or is bundled as required by this section.

I. Protruding nails and other sharp objects inculding glass that may inflict bodily harm to personnel or residents of the Town of Cheektowaga shall be removed from all solid waste prior to being deposited in containers or bundled for collection.

32-5 Receptacles and Storage

A. Every person, owner or occupant of any building, premises or place of business within the Town shall provide or cause to be proveded suitable and sufficient receptacles for receiving and containing solid waste that may accumulate or be used upon said premise.

B. All garbage receptacles used for storing solid waste shall be of such material and so constructed as to withstand the use for which they are intended without breaking or collapsing. Although not prohibited herein, vinyl containers, are not recommended for use in cold weather conditions, which frequently cause such container to shatter. Damaged vinyl containers will not be replaced by the Town of Cheektowaga.

C. Garbage and non-recyclable rubbish receptacles. Garbage shall be stired in covered galvanized metal or vinly containers with handles and tight lids designed for that purpose or in disposable plastic garbage bags of sufficient strength to prevent breakage, securely tied or fastened. No metal container or bag shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled. No vinly container shall exceed thirty (30) gallons in capacity or fifty (50) pounds in weight when filled.

D. Recyclable rubbish receptacles. Rubbish shall be stored only in covered galvanized metal containers with handles and tight lids designed for that purpose or in disposable clear plastic bags. No metal container or bag shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled.

E. All garbage receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this chapter or that has ragged or sharp edge or any other defect liable to hamper or injure sanitation personnel shall be promptly replaced or repaired by the owner. All reusable refuse and garbage

receptacles shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleaned by the owner or occupant of the premises. after garbage is removed by the collector. Except when placed at the curbline for collection, all garbage receptacles shall be stored on the property producing the solid waste.

F. Any recycling receptacle of any design, which may be provided by the Town of Cheektowaga shall remain the property of said Town. Rules and regulations regarding the usage and the initial replacement cost of such containers shall be prescribed by the Town Board of the Town of Cheektowaga.

32-6. Placement of Receptacles for Collection.

A. All receptacles containing garbage or refuse shall be transferred to the curbline or pavement line in front of the premises by producer of the solid waste.

B. No garbage or refuse shall be set out for collection before 6:00 p.m. on the day preceding collection, nor subsequent to 6:00 a.m. on the day of collection.

C. Containers or receptacles shall be removed from the curbline within twelve (12) hours after being emptied to a place invisible from the street.

32-7. Collection and Disposal

A. The Town of Cheektowaga shall provide for the collection and disposal of up to a maximum of ten (10) garbage receptacles per week from producers of non-recyclable solid waste.

B. The Town of Cheektowaga will not collect or remove cut grass, brush or tree parts produced by commercial contractors. Cut grass, brush and tree parts produced by commercial contractors must be removed from the premises by the contractor or by the owner or occupant of said premises.

C. Town employees or equipment shall not enter private, residential property or structures in making collections, unless specifically directed by the general foreman, or in his absence, the working foreman of the Sanitation/Recycling Department.

D. The Town shall have no obligation to pick up and remove any solid waste which was not used in a residence or produced by a resident of the Town of Cheektowaga.

E. Ownership of rubbish which has been placed at the curb for collection in accordance with this chapter shall vest in the Town of Cheektowaga. It shall be unlawful, and a violation of this chapter, for any person without authority from the Town to collect, pick up, remove or cause to be collected, picked up or removed any rubbish. Each such collection pick up or removal of rubbish from one or more premises shall constitute a separate and distinct offense in violation of this chapter.

32-8. Prohibited Deposits or Accumulations

A. No person shall allow, permit or cause to exist any unsanitary or filthy condition in or about any premises owned, used or occupied by said person. Any unauthorized accumulation of solid waste on any premises is hereby declared to be a nuisance and is prohibited.

B. No person shall cart to, dump, burn, deposit or otherwise dispose of, or cause to be carted, dumped, burned, deposited

or otherwise disposed of any solid waste upon any public highway, street or other public place, or upon any private property except as provided in this chapter or under the authorization, supervision, and direction of the Superintendent of the Department of Sanitation.

C. Vehicular tires and tire casings will not be picked up or removed by the Town of Cheektowaga or any agency thereof. The Town of Cheektowaga will dispose of unmounted vehicular tires for a nominal charge per tire, providing said tires are brought to the Department of Recycling Garage.

D. The Town of Cheektowaga shall not collect dangerous, hazardous or chemically toxic wastes, including, but not limited to the following:

1. DANGEROUS WASTES. Wastes that represent an immediate threat to the safety of town employees and general public, such as jagged or protruding objects, broken glass, nails, etc.

2. HAZARDOUS WASTES. Wastes as defined in the New York State Environmental Conservation Law and regulations thereto, including but not limited to:

   a. Ignitable wastes, such as paint thinners, solvent based cleaners, degreasers (e.g. acetone, xylene), gasoline.

   b. Corrosive wastes, such as battery acid, metal cleaning bath sludges (e.g. sodium hydroxide, sulfuric or hydrochloric acid).

   c. Reactive wastes such as cyanide metal plating sludges or any waste that will react violently with water or generates toxic gases, vapors or fumes, (e.g. sodium metal).

d. EP Toxicity wastes which produce an extract containing contaminants such as arsenic, lead, chromium, silver or herbicides; or industrial process wastes, contaminated soil from a spill or other solids containing any of the metals or organic materials in excess of the concentrations listed in the state law and regulations thereto.

e. Toxic wastes, such as sludges from solvents and the industry specific wastes listed in Part 371 Section 371.4(b).

Dangerous, hazardous, chemically toxic wastes shall be disposed of by the owner or producer of same.

E. It shall be the duty of every person, owner or occupant of every dwelling within the Town to keep such buildings free and clear of all kinds of solid waste and to keep sidewalk and yard areas clean.

F. No building material shall be placed at the curb for collection. The owner or contractor shall be responsible for the disposal of building materials.

G. No dirt, stone, brick, concrete or other substance that may accumulate as a result of building construction, demolition, remodeling or repair operations shall be set out for collection by the Department of Sanitation, but shall be otherwise disposed of by the owner or contractor.

H. The Town of Cheektowaga shall not collect waste oils. The Town of Cheektowaga will dispose of waste oils for a nominal charge per gallon, provided the oil is delivered to the Sanitation Department.

32-9. Supervision; Promulgation of Rules and Regulations.

A. The collection and disposal of solid waste shall be under the supervision and control of the Department of Sanitation for the Town of Cheektowaga.

B. The General Foreman of the Sanitation Department or his designee, shall be empowered to designate the days and hours of collection and to make rules and regulations concerning all matters pertaining to the collection and disposal of solid waste.

C. The collection and disposal of recyclable waste shall be under the supervision and control of the Recycling Division of the Town of Cheektowaga.

D. The General Foreman of the Sanitation Department, or his designee, shall be empowered to designate the days and hours of collection and to make rules and regulations concerning all matters pertaining to the collection and disposal of recyclable rubbish.

E. The Sanitation Department and Recycling Division officials are authorized to enforce the provisions of this chapter, including all implementing rules and regulations.

32-10. Penalties for Offenses.

A. The penalties for violation of any provision of this chapter shall be as follows:

1. A warning notification for the first violation.
2. Twenty-five ($25.00) dollar fine for the second violation.
3. Fifty ($50.00) dollar fine for the third violation.
4. One hundred ($100.00) dollar fine for the fourth violation.

B. In the event of succeeding and continuing violation(s), any person, who shall be convicted of violating or failing to comply with the provisions of this chapter, shall be liable to a fine of not more than two hundred fifty dollars ($250.00) or imprisonment not exceeding fifteen (15) days, or to both such fine and imprisonment. The continuation of such viloation(s) for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as above provided for each separate offense.

C. In addition to the financial penalties imposed above, the General Foreman of the Sanitation Department shall have the discretion to refuse to collect the materials which are <u>improperly</u> separated and/or prepared. He may provide for pick up of said materials on the next scheduled collection date for that area or at such other time as he deems reasonable provided that the appropriate rules and regulations pertaining to the materials to be collected are fully complied with.

D. Unauthorized dumping is subject to a five hundred dollar ($500.00) fine.

E. Scavengers are subject to a two hundred and fifty dollar ($250.00) fine.

32-11. Validity

A. The declaration of any section of this local law by a court of competent jurisdiction to be invalid, shall not invalidate the entire local law, only that part thereof so declared to be invalid and the remainder of said local law shall remain in full force and effect.

B. Any and all laws, rules, regulations or ordinances affecting the collection of refuse and recyclables in the Town of Cheektowaga are hereby delcared to be superseded by this local law.)

SUPERVISOR SWIATEK: Okay, thank you, Mr. Clerk. At this time I'd like to turn the meeting over to Councilman Richard Solecki who's head of the Sanitation Committee for some comments.

COUNCILMAN SOLECKI: Thank you, Supervisor. And I'd like to make everyone aware that we have Mr. Ron Zoeller and Dave Kulik who's our general foreman and assistant foreman. So we'll have some professional answers if there are any questions.

My comments start: As you all know, there's a garbage crisis in the State of New York as well as throughout the country. This new garbage law is designed to help us operate effectively so we can, in an environmentally sound manner, reduce costs and taxes for several reasons.

First, the cost of garbage disposal has more than doubled in 1990. The Town pays Occidental Chemical Corporation $42.62 for each ton of refuse disposal this year.

The strategy of saving costs is simply to reduce the solid waste stream. This will save disposal dollars at the Occidental Waste-to-Energy facility.

As you know, we currently have a voluntary program for the collection of newspaper which we sell to markets. For a dozen years, we have been collecting and salvaging large metal items such as refrigerators and tanks. The past two years we've been collecting leaves in the fall and grass clippings in the spring and summer. These yard waste materials are then transported to composting sites which has saved thousands of dollars in disposal costs. This past month we chipped into fine brush all the Christmas trees collected from the holiday season, again, reducing the amount of burnable garbage at Occidental.

This money-saver is known as Cost Avoidance. It will be with us for years to come. The 21st Century is destined to be a time when one of the world's top priorities will be living in a totally clean environment.

Our "now" goal is to make all Town residents and sanitation department crews aware of new and different refuse handling procedures which are necessary -- which will be necessary in 1992 because of the New York State mandated recycling programs which has to start in 1992.

So the No. 1 issue will be this law. This new law will enable our Town Board to easily begin a recycling program which will save tax dollars and meet State regulations at that time when a fully equipped recycling processing center is available for our use in this area.

Secondly, the law becomes reasonably stricter than past practices has proven. Sanitation department service has been very generous and exceptions to rules, such as collecting untied branches will no longer be tolerated. The collection procedures in this new law will be strictly enforced. We believe taxpayers will continue to receive superior service.

Third, the law, in effect, discontinues the collection of commercial containers, commonly called dumpsters. Cheektowaga is the only municipality we know of that services this historically private industry work. Residential taxpayers contribute to the cost of container collection, haul, and disposal.

We believe that there's an inordinate abundance of service provided for tax dollars received. Equipment repair and employee injury is more frequent than in residential collection. It's time for this anachronism to stop.

As future increases in disposal costs arise, the widening disparity of tax burdens will increase in container collection. Many industrial and commercial users of Town container

service, in fact, place commercial waste rather than true garbage in their containers. And this is wrong.

The new law provides a maximum collection of ten receptacles each week. This is a very fair amount for residential service. Businesses will also be collected at the same maximum receptacle terms.

Fourth. Waste oil and vehicular tires. These products are not environmentally acceptable in the incineration process. A nominal fluctuating market value charge will be placed on each gallon of oil and each tire that is brought to a central drop-off point for ultimate disposal.

An example, if you go buy tires at K-Mart or any garage, they're actually taking -- asking you for a dollar or two to leave your own tires there. We can't afford to do that any more to take it to Occidental.

These are some examples I'd like to read to you. I'm not going to give you the companies' names. But for the taxpayer, let's just -- I'm going to give you five examples.

Company A pays $1078.99 in garbage tax and receives $6240 in tax container pickup service.

Company B paid no garbage tax, they were exempt, and received $5200 worth of our sanitation labor.

Company C, $2842.15 in tax; $6240 in garbage pickups.

Company D, garbage tax of $324.49 and received $4160 worth of service.

What that boils down to is, ladies and gentlemen, with the tax, me the taxpayer, you the taxpayer, subsidizing the business people. I have nothing against business people here. I think it's -- they're doing a good job in this Town. They're

progressing and growing in our Town, but we have to share the costs and the costs have to be equalized.

With that, I'd like to open it up for any statements.

SUPERVISOR SWIATEK: Okay, thank you. Let me just set some ground rules. First of all, we'll limit any speaker to no longer than three minutes. The purpose of the public hearing is not to engage in debate. The purpose of the public hearing is to get honest and open feedback from the audience, from each speaker.

As I recognize each speaker, step up to the microphone and state your three minute comment on the local law. Anyone?

MS. MUSIALOWSKI: I'm Ralfa Musialowski, President of the Cheektowaga Chamber of Commerce and I have a statement to read on behalf of our Board of Directors.

"Over the course of the last year, the Cheektowaga Chamber of Commerce has, through its business committee, expressed concern regarding possible changes in Sanitation Department services to commercial and business property.

In our meetings with the Chairman of the Town Board Sanitation Committee and the Sanitation Department staff, we have expressed, first, concern that the policies to be implemented be fair and equitable to the businesses as well as the Town.

Second, that there be a uniform policy. And, third, that we do not expect the Town or residents to underwrite Sanitation Department services to businesses." However, we would like

to see an equitable solution.

"We understand that the current 'large container system' is no longer feasible. It has developed abuses, has not been kept in check and costs for disposal has gotten extreme. Our concern is that the program will be halted due, in part, to these problems and, in turn, create new ones for small businesses in Cheektowaga.

In our Chamber, over 70 percent of our membership is small business. On the local and national level, these types of businesses provide the majority of local employment opportunity as well as commitment to the community.

These are also the businesses at greatest risk of failure if they do not receive products and services commensurate with their investment.

Those people who pay taxes for Sanitation Department services should expect to receive services for their tax dollar. They should not need to contract for additional services unless they require more than the standard service provided by the Town.

One of the facts that was brought to our attention in discussions with the Sanitation Department was the severe problem the Town faces trying to dispose of grass and leaves. This statement was made as the Town implemented a Landscape Ordinance mandating businesses to create areas to plant grass and trees.

1990 Law No. 1 does not address commercial and business property with regard to Sanitation Department services in its present form. These properties account for a large portion of Cheektowaga's accessible tax base. Until this topic is addressed and all businesses within the Town are taken into consideration, the Cheektowaga Chamber of Commerce encourages the Cheektowaga Town Board to take no action on this proposal."

I do have copies for each of the Council members and also for the Town Clerk.

SUPERVISOR SWIATEK: Thank you, Ralfa. Next gentleman, kindly step up to the microphone.

MR. FRIES: Joe Fries, Conair Corporation. One question, if this does get passed and goes into effect, you said 10 receptacles per week. Will our tax base, based upon how much we pay now, will that go down to what a homeowner pays or will it stay the same?

COUNCILMAN SOLECKI: We're looking into that. The way it looks right now, the 10 limit basically boils down to what you're taxed right now. I don't know your particular company, I'd have to look into that. I could get a more definite answer but, yes.

MR. FRIES: It would then go down to what, basically, a homeowner pays. Thank you.

SUPERVISOR SWIATEK: Another comment? Yes, sir?

MR. DYL: Good evening, my name is Kenneth Dyl. I am the Superintendent of the Cleveland Hill School District and am speaking on behalf of the four public school districts in Cheektowaga: Cleveland Hill, Maryvale, Cheektowaga Central and Cheektowaga Sloan. I am here to speak

about the proposed curtailment of dumpster pickup service by the Town.

It is my understanding that the Town currently makes approximately 380 dumpster pickups each week that include 75 for tax exempt organizations such as our public schools.

While we understand the interest of the Town in reducing its operational expense, we would point out that the service, as it is provided for the school districts, will still continue to be paid by Cheektowaga taxpayers. If the Town stops dumpster pickups, the cost will merely be shifted from the town tax to the school district tax and since we would have to rely on outside contractors to provide the service, it is likely that the cost will even be greater than it is now.

While we do not have final figures from the various companies that are involved in waste disposal, we have made some estimates as to what the cost to each district will be based upon the number of dumpsters and the number of pickups per week at each of our locations.

The total cost estimate just for the pickup service would be between $55,000 and $60,000 for the school districts in the Town.

On top of this cost, we would likely have to either purchase or lease new dumpsters to fit the equipment that the contractor has for the service.

Ironically, last year Cheektowaga Central, at the request of the Town, bought and modified 6 new dumpsters so that they would be compatible with some new equipment purchased by the Town. Each of these dumpsters costs several thousand dollars. These would not likely be able to be used with a contractor and would just be a wasted expenditure of taxpayers' money.

I would point out that none of the districts have a budget expenditure for waste removal in our current budgets which take us through June 30th of this year. Should the Town Board take any action that would be effective prior to that time, there would be some very serious budgetary decisions that would need to be made that could possibly affect educational programs in the school. If any changes are contemplated, I would hope that consideration for our budgetary cycle would be made.

The Town of Cheektowaga provides school districts with some very essential services: Police protection that is always available is, I am sure, second to none in our County and provides a very safe environment for youngsters in all of our schools. While the garbage collection certainly is ... not as dramatic a service, it is also very important to us to the operation of our schools and our attempts to keep costs down.

I think it's appropriate for me to remind the Town Board of the history and cooperation between the Town and the school districts. We participate in many Town programs as they are such valuable services to district residents such as the Cheektowaga United Against Drugs Program.

I know that in the Cleveland Hill area there are really no playgrounds for our children and we have, over the past years, opened the school facilities for the summer youth and other recreational programs.

This last summer, the Town had the use of our auditorium for a major theatrical production. The swimming pool is used on a regular basis. I know that these things also are true in the other school districts as well.

The town library and town swimming pool were built on property that belonged to one of the area schools. So we do work together in a partnership. We get something from you, you get something from us, but all in the best interest of our citizens.

I would ask that the Town Board very carefully consider this proposal and, in the best interest of serving the community, to continue dumpster pickup for at least the tax exempt organizations in the Town.

I think my time is well over, so thank you very much.

COUNCILMAN KULYK: If I may, Dr. Dyl, you quoted an estimate of $60,000. Is that per school district?

DR. DYL: No, that would be for each of us. That's just based on estimates. It's difficult to get estimates at this time because they suspect that those costs may go up as more people need the service locally. They're pretty busy, I think. I have copies here if anybody wishes one.

SUPERVISOR SWIATEK: Anyone else on Local Law No. 1?

MR. STACHEWICZ: I don't think I need the microphone.

SUPERVISOR SWIATEK: Kindly identify yourself.

MR. STACHEWICZ: Stanley Stachewicz, 72 Kemp. I'm a taxpayer over 60 years in the Town of Cheektowaga. And I live on Kemp Avenue like I said.

I'm in favor of the law. When I go to businesses or small businesses, they don't give me no bargains. But why should I be subsidizing them all this time?

And as far as the school district is concerned, they keep raising our school taxes right along. If they cut down on some of them sports or some of the stuff they have there, then they can lower our school taxes down.

If we save money on the disposal, it won't be much of a difference in the school tax. So I'm in favor of this law. Hey, some of these people get service four, five, six, seven times a week and I get it once a week and I pay just as much as they do. My place isn't valued as much as they are, but I'm in favor of this law right now. Thank you.

SUPERVISOR SWIATEK: This gentleman right over here.

MR. FLORCZAK: Good evening. My name is Tim Florczak. I'm with the Williamstown Apartments.

First of all, our taxes are approximately -- we pay $30,000 a year for trash pickup. We have similar size complexes in Cheektowaga which pay garbage pickup for the same amount of garbage for $20,000 a year.

My question is is the Town looking to save the $663,000 or are they looking for 1.6 million dollars? My question is is the Town going to eliminate the general garbage tax that you charge mobile home parks and buildings?

I know I could come in and protest the taxes and what will happen, in essence, is

our net operating income will be reduced. Therefore, you take our net operating income, use the capitalization rate, our taxable value will come down and what that will do, it's going to pass the cost on to every homeowner.

In addition to this, Williamstown Apartments, as you know, is all senior citizens. And I think you're talking about hitting these people and all people that live in apartments between a 5 and $10 a month increase in rents.

Another issue that was brought up, as Mr. Solecki said, business people are not sharing the burden. If you take the Williamstown Apartments, we're situated on 25 acres of land. If you take that 25 acres of land and try to put homes on it, you might get 1 home per acre after you do all the improvements.

Now, if each home sold for $20,000, the taxable value of that land will be 3 million dollars. Our taxable value on Williamstown Apartments is over 11 million dollars. Almost four times what you would have if you put residential homes on it. So are we sharing the tax burdens? We're paying more than our share and we don't complain about it. We run a business in Cheektowaga. We like the atmosphere and we like the people around it, but the issue with the garbage and not picking up our dumpsters any more is a serious issue with us. It's a lot of money for us and it's going to affect our residents and the Town of Cheektowaga, the homeowners. Thank you.

COUNCILMAN SOLECKI: Mr. Supervisor, if I may, just one thing. Instead of, if, in fact, this law, we would pass this law, you mentioned that you'd have to increase the rents by 5, $10 for each rentor at your facility. Why not take $5 out of your corporate profits, number one, instead of passing it on to the taxpayers?

Number two, you have 285

businesses in this Town that we're collecting garbage for. There are 4000 other businesses in this Town and if they want to, we have to, by precedent, we have to start collecting garbage for 4000 other businesses in this Town. Our budget isn't that high.

If 4000 businesses came in here today because there's a precedent, all the pizza parlors, all the restaurants, all the businesses, our taxes would quadruple. I wouldn't want to be here if that happened.

So instead of raising your rentors by 5 or $10, why not make less money for your corporation?

MR. FLORCZAK: I'd be glad to open our books to you, Mr. Solecki, and if real estate was such a great investment and it was so easy to make money in it, then why aren't you building more apartments in Cheektowaga?

COUNCILMAN SOLECKI: Don't have the land.

SUPERVISOR SWIATEK: Okay, okay. Yes, sir?

MR. CORSI: My name is Frank Corsi, and I just have a question. If you have 4000 businesses that must be seeking refuse elsewhere, they're going elsewhere to do it, why not just make it mandatory they have to seek their own refuse and make that --

COUNCILMAN SOLECKI: That's what we're proposing.

MR. CORSI: Oh, I'm sorry. I just walked in.

SUPERVISOR SWIATEK: In the back, please. Kindly state your name and address, please.

MR. RICHIE: My name and address -- my name is Stafford Richie. I'm an attorney for Cavage's which operates an office and distribution facility at 2600 Walden Avenue.

Obviously, because of the time limit, I'm not going to be able to read the comments I had. But there are several points which I think are important.

The garbage collection in the Town of Cheektowaga is funded by a special district tax. The Town has created a special district. The Town is collecting the taxes on an ad valorem basis for that district which means every taxpayer in the Town pays for garbage collection based on his assessed value.

For 1990, we're paying an ad valorem tax for garbage collection of $1796.37. I asked some of my employees who live in the Town of Cheektowaga to check to see how they're paying. And I learned that some of them are paying as little as $90.94. I think it's unfair and it's inaccurate to represent that the residents of the Town of Cheektowaga are subsidizing the rubbish removal for the commercial establishments because $90.94 is in below the market rate for rubbish collection in western New York.

In fact, in the Town of Amherst, where the Town has created a special district for residential property owners and has awarded contracts on a competitive bid basis, the rate for each residence in the Town of Amherst is $149.55.

SUPERVISOR SWIATEK: That's for a single home.

MR. RICHIE: They collect only for one to four unit residences in the Town of Amherst. They collect $149.55 per unit. Everybody else fends for himself. But everybody else who fends for himself in the Town of Amherst is not paying a special garbage district tax to the Town of Amherst.

The problem here is every commercial establishment has to pay these ad valorem taxes to the Town of Cheektowaga and I think it's more accurate to state that the commercial businesses in the Town of Cheektowaga are subsidizing the trash removal from residences in the Town of Cheektowaga.

There may be 275 commercial establishments that are having their rubbish taken away by the Town and there may be some of them who are abusing the privilege, but there are 4275 businesses in the Town of Cheektowaga who are paying that special district tax.

If the Town of Cheektowaga wants to get out of the business of collecting rubbish from commercial establishments, that's fine with me. But if you're going to do that, you have to go back and revisit the creation of your special garbage district, make it a special district for residences only and collect the tax from residences only.

There are taxpayers in the Town now who are going to be paying $8000 a year and they're going to get 10 bags a week. That's $800 a bag and that cannot be changed unless you go back and revisit this legislation which creates the special district and revisit and either in accordance with Section 198 of the Town Law impose a tax based on benefit of those taxpayers or you go back and revisit the entire district and make it applicable to residences only. But that's the only equitable

way to do it.

(Applause)

SUPERVISOR SWIATEK: Thank you.

UNIDENTIFIED MALE: They demand we're separating our garbage. Are these people going to separate their garbage?

SUPERVISOR SWIATEK: Everybody will have to.

COUNCILMAN SOLECKI: Mr. Supervisor, on Cavage's, since the gentleman identified himself from Cavage's, you pay $1796 worth of garbage tax. But you're getting almost $2800 worth of service. Someone is paying for that.

MR. RICHIE: Those other 4000 businesses are paying for it, not the residences. That's the problem with your analysis.

SUPERVISOR SWIATEK: All right. Comments, please. Yes?

MS. SUSI: My name is Ruth Susi and I own two apartments. There's

two families involved. I've owned them for about 35 years. I've been through all the routes. In the beginning, I had garbage pails. Nobody has brought up a very important thing here. We're all talking environment and everything. Rodent control.

Before I had a dumpster, the tenants, they didn't use bags. They're too expensive to buy the plastic. They just use Tops and Bells ordinary bags and the garbage would be all over the place from the dogs and the cats and then I had a rat problem. It was so bad that I had to call the Erie County to come out and take care of it and then I looked at some businesses, they can't afford a big dumpster. The bigger you get, you know, it's like 40, 80 a thousand, they get the smallest one they could possibly get to save money. And by the end of the week, it's overflowing with boxes and you have rodents.

I'm sure Cheektowaga wouldn't want to have a rodent problem. It does happen when you have garbage all over. Businesses will say, "I can't afford this." So they'll get this little dinky thing that don't hold much.

I'm against the proposal because then -- if I remember correctly, it was in 1983, there was a cut-off thing because behind me a project was built and they applied for dumpster pick-up from the Town, but they say no, there's a cut-off date, you didn't make it. Anything over 1983, businesses, anything has to be paid by yourself. But anything before that, that goes back 20, 30 years, we'll take care of it. So that's all I have to say. Think about the health problem here. It's bad.

SUPERVISOR SWIATEK: Okay, thank you. Anyone else who hasn't spoken yet? Yes?

MR. PAWLOWSKI: My name is Walden Pawlowski, and I represent the Cheektowaga Taxpayers' Association. According to the letter of March 20th of 1989, written to Mr. Richard B. Solecki, we've asked Mr. Solecki to look into the dilemma of the container pick-up in the Town, in our Town, and to try a better and more feasible way to eliminate our tax dollars to be spent on corporations.

The problem with that, the corporations are assessed at the particular assessed value at one time and a few years later they come in and they turn around and ask for re-evaluation of their properties and lower their taxes in the long run through the court battles, whichever it might be. When they do that, they also eliminate the actual necessary fee that they should be paying for garbage and then we, as the citizens and taxpayers, have to subsidize it.

So, on record, I would like to be again noticed that we are against the container pick-up by the Town of Cheektowaga. Thank you.

SUPERVISOR SWIATEK: Thank you. Any other person who has not spoken yet?

(No response)

SUPERVISOR SWIATEK: If not, we'll call this hearing to a close, move on to Item No. 2.

* * * * *

MEETING NO. 3
February 5, 1990

Item No. 1 At a meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of February, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; Casimir A. Kozminski, Assessor; Ron Marten, Supervising Building & Plumbing Inspector; Dave Kulik, Working Foreman in Sanitation/Recycling Department; John Schaller, Assistant Chief of Police; Sal LaGreca, Employment and Training Director II; also Planning Board Chairman; Ronald Zoeller, Sanitation Foreman; Kenneth Kopacz, Director of Youth Bureau; Jerry Gabryszak, Community Development Director; Terry Rusin, Chief Accountant.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Rogowski, Seconded by Councilman Kulyk

WHEREAS, this Town Board held a public hearing on January 15, 1990 at 7:30 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Ellen Drive	East-West	Virginia Road	Northbound	S.E. Corner

Item No. 2 continued

ARTICLE X

Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom following:

B. No parking anytime

PEACHTREE ROAD	North side	from the west curbline of Pendennis Place westerly 40 feet to a point

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following

B. No parking anytime

PEACHTREE ROAD	North side	from the west curbline of Pendennis Place westerly 25 feet to a point

D. No standing here to corner

PINE RIDGE TERRACE	East side	from the north edge of the driveway at number 7 Pine Ridge Terrace northerly to the south curbline of Genesee Street

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 Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 FEB 08 1990 ;
last publication FEB 08 1990 ;
and that no more than six days intervened between publications.

.....Scott Benson.....

Sworn to before me this FEB 08 1990

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

.....Eve J. Allis.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 5th day of February, 1990 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworwicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline Blachowski
ABSENT: 0

Motion by Councilman Rogowski and Seconded by Councilman Kulyk

WHEREAS, this Town Board held a public hearing on January 15, 1990 at 7:30 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 is 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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Ellen Drive	East-west	Virgina Rd	Northbound	S.E. Corner

ARTICLE X
Parking, Standing and Stopping

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

B. No parking anytime

PEACHTREE ROAD	North side	from the west curbline of Pendennis Place westerly 40 feet to a point

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

PEACHTREE ROAD	North side	from the west curbline of Pendennis Place westerly 25 feet to a point

D. No standing here to corner

PINE RIDGE TERRACE	East side	from the north edge of the driveway at number 7 Pine Ridge Terrace northerly to the south curbline of Genesee Street

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 Swiatek Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski 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 CERTIFIED as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 5, 1990, 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 meeting of said Board, and such minutes appear at item 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of February, 1990.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: February 8, 1990

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

WHEREAS, the Town of Cheektowaga is eligible to receive up to approximately $665,000 in Community Development Block Grant Funds for the 1990-91 Program Year, and

WHEREAS, the Town of Cheektowaga is required to hold a public hearing for the purpose of obtaining the views of Town residents regarding community development and housing needs, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on February 26, 1990 at 6:30 P.M. at Cheektowaga Town Hall, corner of Broadway and Union Rd., Cheektowaga, New York, for the above said purpose, AND BE IT

FURTHER RESOLVED that a legal notice of such public hearing also contain a notice of proposed community development objectives and use of funds and a statement of the range of allowed activities under the Community Development Program, be published in the Cheektowaga Times on February 15, 1990.

* *

TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

NOTICE OF PUBLIC HEARING

STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, February 26, 1990 at 6:30 P.M. at Cheektowaga Town Hall, Broadway & Union Road., Cheektowaga, New York, regarding the Town's 1990-91 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to approximately $665,000, under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town and Villages with the opportunity to express their views and opinions on housing and community development needs and to respond to proposals and questions regarding the Community Development Program. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is estimated that no less that 60% of funds will be used for activities that will benefit low and moderate income persons. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

Residents of low and moderate income neighborhoods as well as all citizens of the Town and Villages are encouraged to participate in this process and express their views on the proposed use of funds and activities carried out with program funds. Technical assistance is available to groups representative of low and moderate income persons to assist in developing proposals or identifying needs within their community. No CDBG activities are expected or likely to result in displacement. In the unanticipated event displacement due to CDBG funded activities occurs, relocation assistance will be provided in conformance with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

Item No. 3 continued

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 3719 Union Road, Suite 218, Cheektowaga, New York, 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays or can be discussed with the Community Development Director by calling 683-4150 between 9:00 A.M. and 4:30 P.M., Monday through Friday.

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Scott Benson ....., 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 ..... weeks:

first publication FEB 15 1990 ;

last publication FEB 15 1990 ;

and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 15 1990

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

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
NOTICE OF PUBLIC HEARING
STATEMENT OF OBJECTIVES AND PROPOSED USE OF FUNDS

The Town of Cheektowaga will hold a Public Hearing on Monday, February 26, 1990 at 6:30 P.M. at Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York, regarding the Town's 1990-91 Community Development Block Grant Program.

The Town of Cheektowaga and the Villages of Depew and Sloan, and Williamsville are eligible to receive up to approximately $665,000, under Title I of the Housing and Community Development Act of 1977, as amended. The purpose of this hearing is to provide the citizens of the Town and Villages with the opportunity to express their views and opinions on housing and community development needs and to respond to proposals and questions regarding the Community Development Program. Eligible activities for which these funds can be used include housing rehabilitation, street and drainage improvements, parks, playgrounds and recreational facilities, water and sewer facilities, economic development activities and code enforcement. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

It is the intent and purpose of the Town of Cheektowaga and the Villages of Sloan, Depew, and Williamsville to foster and maintain strong and viable communities through the use and expenditure of federal Community Development Block Grant funds. Further, said funds shall be assigned to areas deemed most needy on the basis of social, economic and physical conditions; this represents the highest objective. The Town and Villages shall prioritize community needs including but not limited to housing, neighborhood revitalization and stabilization, recreation, and industrial development. It is estimated that no less than 60% of funds will be used for activities that will benefit low and moderate income persons. It is the explicit intent of the Town and Villages to accomplish implementation of program goals and objectives through the cooperation and input of the citizens in these communities.

Residents of low and moderate income neighborhoods as well as all citizens of the Town and Villages are encouraged to participate in this process and express their views on the proposed use of funds and activities carried out with program funds. Technical assistance is available to groups representative of low and moderate income persons to assist in developing proposals or identifying needs within their community. No CDBG activities are expected or likely to result in displacement. In the unanticipated event displacement due to CDBG funded activities occurs, relocation assistance will be provided in conformance with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

A full presentation of CDBG program goals and objectives for housing, neighborhood revitalization and stabilization, code enforcement, recreation, industrial development, public services and facilities and citizen participation can be obtained in the Office of Community Development, 3719 Union Road, Suite 218, Cheektowaga, New York 14225, between the hours of 9:00 A.M. and 4:30 P.M., weekdays or can be discussed with the Community Development Director by calling 683-4150 betwen 9:00 A.M. and 4:30 P.M., Monday through Friday.

PUBLISH: February 15, 1990

NO. 4

Item No. 4a Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Phase II development of the Alexander Avenue Community Center, which bids were received and publicly opened on January 29, 1990 AND

WHEREAS, said bids were referred to the architectural firm of Scaffidi & Moore, Architects, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated January 31, 1990, AND

WHEREAS, said report recommends that the General Construction Contract be awarded to Baker Development & Construction Company, Inc. for submission of the lowest bid meeting the requirements of the specifications and the Mechanical Contract be awarded to Vastola Heating & Air Conditioning Corporation for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the General Construction Contract for the Phase II development of the Alexander Avenue Community Center be and hereby is awarded to Baker Development & Construction Company, Inc., 1251 Electric Avenue, Lackawanna, New York, 14218 at the total bid price of $53,460.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED that the Mechanical Contract for the Phase II development of the Alexander Avenue Community Center be and hereby is awarded to Vastola Heating & Air Conditioning Corporation, 65 Riley Street, Buffalo, New York 14209 at the total bid price of $42,895.00, said being the lowest bid meeting the requirements of the specifications, 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 Baker Development & Construction Company, Inc. for General Construction Work and Vastola Heating & Air Conditioning Corporation for Mechanical Work, AND, BE IT FURTHER

RESOLVED that the total cost in the amount of $96,355.00 shall be chargeable to Account No. 05-7410-8629-0040.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGES

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

January 31, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Phase II Development of
Alexander Avenue Community Center

Gentlemen:

As approved by the Town Board, bids were received and publicly opened on Monday, January 29, 1990 at 11:00 A.M. by the Town Clerk in Town Hall. There are three (3) parts to the reconstruction work covered under this second phase. Competitive bids were received for general construction work and also for mechanical work. Mechanical work involves heating, ventilating and plumbing. The third phase of the reconstruction is for electrical work. Specifications and plans were developed by the architect, however, bids were not taken. Work will be performed by the Town electrician through the Facilities Department.

Eleven (11) bids were received ranging in totals from $54,710 to $80,200. Following are the four (4) lowest bidders. These bids are the total of the base bid plus alternate #1 for tackboards, less alternate #2 for reusing existing ceiling tiles.

BIDDER	BASE BID	ALT 1 (+)	ALT 2 (-)	TOTAL BID
Baker Development	$63,460	$1,250	$10,000	$54,710
Lakeside Construction	62,700	1,200	3,000	60,900
LCP Construction	61,000	1,400	500	61,900
Cloverbank Construction	62,900	1,400	1,200	63,100

Four (4) bids were received for mechanical work and are as follows:

BIDDER	TOTAL BID
Vastola Heating & Air Conditioning	$42,895.00
Allied Mechanical, Inc.	44,923.00
Moffett Heating Corporation	54,418.00
Matthew Kendefer, Inc.	74,998.00

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

It is recommended that the bid be awarded to the lowest bidder in each category. For general construction work, the lowest bidder is Baker Development & Construction Company, Inc. who submitted a total bid price of $53,460.00. For the mechanical work, the lowest bidder is Vastola Heating & Air Conditioning Corporation who submitted a total bid price of $42,895.00.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms

Item No. 4b Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, bids were duly received and opened at the January 15, 1990 public bid opening as a result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated January 23, 1990, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to Kristen Uniforms & Linens, Amherst Commerce Park, 4332 Ridge Lea Road, Amherst, New York 14226.

ITEM I	Work Pants (sizes up to 42)	$10.75
ITEM II	Work Pants (sizes 44 and up)	12.10
ITEM III	Shirts (long sleeve, sizes up to 17 1/2)	9.60
ITEM IV	Shirts (long sleeve, sizes 18 and up)	10.95
ITEM V	Chambray Shirts (long sleeve, sizes up to 17 1/2)	8.65
ITEM VI	Chambray Shirts (long sleeve, sizes 18 and up)	9.80
ITEM VII	Shirts (short sleeve, sizes up to 17 1/2)	8.45
ITEM VIII	Shirts (short sleeve, sizes 18 and up)	9.80
ITEM IX	Chambray Shirts (short sleeve, sizes up to 17 1/2)	7.50
ITEM X	Chambray Shirts (sizes 18 and up)	8.65
ITEM XI	Coveralls (long sleeve, sizes 36-52 regular)	16.85
ITEM XII	Coveralls (long sleeve, sizes 36-52 long)	16.85
ITEM XIII	Denim Jeans (sizes up to 42)	8.35
ITEM XIV	Denim Jeans (sizes 44 and up)	9.50
ITEM XV	Bib Overalls	15.80
ITEM XVI	Tee Shirts	6.00

said bid being a responsible bidder meeting the requirements of the specifications.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

January 23, 1990

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Work Uniforms

Gentlemen:

On January 15, 1990 bids were received and opened for the furnishing of work uniforms to Town employees as required through the Cheektowaga Employees Association Agreement. Only one (1) bid was submitted on sixteen (16) items of the specifications. The total of that bid is as follows:

BIDDER	BID AMOUNT
Kristen Uniforms & Linens	$13,201.10

It is recommended, therefore, that the bid be awarded to Kristen Uniforms & Linens, Amherst Commerce Park, 4232 Ridge Lea Road, Amherst, New York 14226 for the furnishing of work uniforms, said bid meeting the general intent of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

Item No. 5a Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said public works projects, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of February, 1990 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and consered by the Town Board of the Town of Cheektowaga on February 20, 1990 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for the public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

Richard M. Moleski,
Town Clerk

DATED: February 5, 1990

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 ..... weeks; first publication FEB 08 1990 ; last publication FEB 08 1990 ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 08 1990

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

Eve J. Ellis

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 20, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for public works projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

RICHARD M. MOLESKI
Town Clerk
DATED: February 5, 1990
PUBLISH: February 8, 1990

Item No. 5b Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, to effectively make use of the space in various departments in the Town of Cheektowaga, it is necessary that modular office furniture be purchased, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders for the purchase of modular office furniture for various departments in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that information for bidders and specifications may be obtained from the Town Clerk's Office during the regular business hours, 9:00 to 4:30 p.m., Monday thru Friday, AND, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is designated as the officer to open bids on the aforesaid modular furniture at 11:00 a.m. on February 20, 1990.

* *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that, in accordance with Section 103 of the General Municipal Law of the State of New York, bid proposals will be received by the Town of Cheektowaga for the furnishing of Miscellaneous Office Partitions, Workstations and Furniture for various departments of the Town of Cheektowaga.

Copies of the information for bidders and specifications may be obtained and examined at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York, during regular business hours on Monday thru Friday 9:00 A.M. to 4:30 P.M.

Sealed bid proposals must be submitted to the Town Clerk's Office on or before Tuesday, February 20, 1990 at 11:00 A.M., at which time such bid proposals will be opened and read aloud by the Town Clerk. Proposals must be enclosed in a sealed, opaque envelope marked "Bid for Miscellaneous Office Partitions, Workstations and Furniture for Various Departments".

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities, or to make an award for any combination of bid sections, or to make an award to other than the low bidder, should it be deemed to be in the best interests of the Town of Cheektowaga.

RICHARD M. MOLESKI,
Town Clerk

DATED: February 5, 1990

PUBLISHED: February 8, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 ....FEB 08 1990.... ; last publication FEB 08 1990 ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 08 1990

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

Eve J. Ellis

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that, in accordance with Section 103 of the General Municipal Law of the State of New York, bid proposals will be received by the Town of Cheektowaga for the furnishing of Miscellaneous Office Partitions, Workstations and Furniture for various departments of the Town of Cheektowaga.

Copies of the information for bidders and specifications may be obtained and examined at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York, during regular business hours on Monday thru Friday, 9:00 A.M. to 4:30 P.M.

Sealed bid proposals must be submitted to the Town Clerk's Office on or before Tuesday, February 20, 1990 at 11:00 A.M., at which time such bid proposals will be opened and read aloud by the Town Clerk. Proposals must be enclosed in a sealed, opaque envelope marked "Bid for Miscellaneous Office Partitions, Workstations and Furniture for Various Departments."

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities, or to make an award for any combination of bid sections, or to make an award to other than the low bidder, should it be deemed to be in the best interests of the Town of Cheektowaga.

RICHARD M. MOLESKI
Town Clerk
DATED: February 5, 1990
PUBLISH: February 8, 1990

Item No. 5c Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1990 calendar year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of corrugated metal pipe and reinforced concrete pipe, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of February, 1990 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on February 20, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1990 calendar year.

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

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

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

RICHARD M. MOLESKI,
Town Clerk

Dated: February 5, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 FEB 08 1990; last publication FEB 08 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 08 1990

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

Eve J. Allis

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on February 20, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1990 calendar year.

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

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

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

RICHARD M. MOLESKI
Town Clerk
DATED: February 5, 1990
PUBLISH: February 8, 1990

Item No. 5d Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised for the furnishing of chemical fertilizers and herbicides in the Town of Cheektowaga, AND

WHEREAS, the Town has engaged in an annual Fertilization/Weed Control Program as part of its obligation with an agreement with the New York State Department of Environmental Conservation in the maintenance of all lands associated with the Scajaquada Creek Flood Control Project, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of chemical fertilizers and herbicides, notice to e published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED that sealed bids will be received on the 20th day of February, 1990 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 20, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

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

RICHARD M. MOLESKI,
Town Clerk

DATED: February 5, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 ...FEB 08 1990... ; last publication ...FEB 08 1990... ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 08 1990 day of ....., 19.....

Eve J. Allis

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 20, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any 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 Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

RICHARD M. MOLESKI
Town Clerk
DATED: February 5, 1990
PUBLISH: February 8, 1990

Item No. 5e Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

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 1990 Season (regular, shredded and screened), to be used by the Town of Cheektowaga.

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 February 16th, 1990.

* *

TOWN OF CHEEKTOWAGA 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 Highway Department will receive proposals for the purchase of TOPSOIL for use by the Town of Cheektowaga at a public bid opening February 16, 1990 at 11:00 a.m. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, N.Y. Proposals must be enclosed and sealed in an opaque envelope plainly marked "Bid for Topsoil".

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: February 5, 1990

Published: February 8, 1990

* *

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 FEB 08 1990; last publication FEB 08 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 08 1990

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

Eve J. Allis

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN. In compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of TOPSOIL for use by the Town of Cheektowaga at a public bid opening February 16th, 1990 at 11 AM to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR TOPSOIL."

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: February 8, 1990

Item No. 5f Motion by Councilman Rogowski Seconded by Councilman Kulyk

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for PLANING AND TEXTURIZING EXISTING PAVEMENTS IN THE TOWN OF CHEEKTOWAGA.

Information to bidders and specifications may be obtained from the Office of 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 February 16th, 1990, in the Council Chambers of the Town of Cheektowaga.

* *

TOWN OF CHEEKTOWAGA 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 Highway Department will receive proposals for PLANING AND TEXTURIZING EXISTING PAVEMENTS in the Town, by the Town Highway Department, at a public bid opening February 16th, 1990 at 11:00 a.m. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope and plainly marked "BID FOR PLANING AND TEXTURIZING EXISTING PAVEMENTS".

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: February 5, 1990

PUBLISHED: February 8, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 FEB 08 1990 ; last publication FEB 08 1990 ; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this FEB 08 1990

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

Eve J. Ellis

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
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 Highway Department will receive proposals for the purchase of PLANNING AND TEXTURIZING EXISTING PAVEMENTS in the Town, by the Town Highway Department, at a public bid opening February 16th, 1990 at 11 AM to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways at his office located at 3145 Union Road, Cheektowaga, NY. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR PLANNING AND TEXTURIZING EXISTING PAVEMENTS."

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: February 8, 1990

Item No. 6 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, Louis Migliore Construction has submitted a proposal to furnish and perform all services to install 3/4" Tongue and Grove underlayment diagonally glued and screw nailed prior to installation of the gym floor at the Alexander Community Center, AND

WHEREAS, Louis Migliore Construction has submitted a proposal to furnish and install an additional forty-eight (48) square yards of carpeting in the Youth Bureau and Recreation Department offices, AND

WHEREAS, the firm of Scaffidi & Moore Architects has renewed the submittals with the contractor and the Executive Director of the Youth Bureau and Facilities Director, NOW, THEREFORE, BE IT

RESOLVED that Louis Migliore Construction, 787 Military Road, Kenmore, New York, 14217, is hereby authorized to perform Change Order GC-1 in the amount of $4,520.00, AND BE IT FURTHER

RESOLVED that funds for said Change Order CG-1 are available from Account No. 05-1625-8811-1101.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, by Town Board resolution adopted on December 18, 1989 (agenda item #3), it was directed that Buell Avenue be made a dead-end highway, and

WHEREAS, thereafter, by Town Board resolution adopted on December 29, 1989 (agenda item #2), it was directed that Buell Avenue be closed, a gate be installed at a designated location and funds be appropriated therefore, and

WHEREAS, this Board has reviewed the situation on Buell Avenue together with the Town Superintendent of Highways and has devised a solution to the existing problem on Buell Avenue that will promote the health, safety and welfare of the Town residents, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolutions dated December 18, 1989 (agenda item #3) and December 29, 1989 (agenda item #2) be and hereby are rescinded, and BE IT FURTHER

RESOLVED that this Town Board hereby directs that the following actions be taken with respect to Buell Avenue:

1. The Town Superintendent of Highways take any and all action necessary to dead-end Buell Avenue (north- and south-bound) at the northerly property line of 123 Buell Avenue, extended westerly across Buell Avenue on or before March 1, 1990.
2. An appropriate barrier be erected at the aforementioned dead-end location on Buell Avenue under the direction of the Town Superintendent of Highways on or before March 1, 1990.
3. The Town Engineer and Superintendent of Highways review the feasibility of constructing turnarounds at the Buell Avenue dead-ends and report back to this Town Board their findings and recommendations pertaining to land acquisition, cost estimates, etc.

and BE IT FURTHER

RESOLVED that the Town Board resolution adopted on December 29, 1989 (agenda item #7) be amended to delete the words "gate", "sliding/locking gate" and "fence" therefrom and to replace such words with the words "an appropriate barrier".

Item No. 7 continued

MOTION BY COUNCILMAN KULYK AND SECONDED BY COUNCILMAN ROGOWSKI TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: Supervisor Swiatek
ABSENT: 0

* *

AMENDED

Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, by Town Board resolution adopted on December 18, 1989 (agenda item #3), it was directed that Buell Avenue be made a dead-end highway, and

WHEREAS, thereafter, by Town Board resolution adopted on December 29, 1989 (agenda item #2), it was directed that Buell Avenue be closed, a gate be installed at a designated location and funds be appropriated therefore, and

WHEREAS, this Board has reviewed the situation on Buell Avenue together with the Town Superintendent of Highways and has devised a solution to the existing problem on Buell Avenue that will promote the health, safety and welfare of the Town residents, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolutions dated December 18, 1989 (agenda item #3) and December 29, 1989 (agenda item #2) be and hereby are rescinded, and BE IT FURTHER

RESOLVED that this Town Board hereby directs that the following actions be taken with respect to Buell Avenue:

1. The Town Superintendent of Highways take any and all action necessary to dead-end Buell Avenue (north- and south-bound) at the northerly property line of 123 Buell Avenue, extended westerly across Buell Avenue on or before March 1, 1990.
2. An appropriate barrier be erected at the aforementioned dead-end location on Buell Avenue under the direction of the Town Superintendent of Highways on or before March 1, 1990.
3. The Town Engineer and Superintendent of Highways review the feasibility of constructing turnarounds at the Buell Avenue dead-ends and report back to this Town Board their findings and recommendations pertaining to land acquisition, cost estimates, etc.

and BE IT FURTHER

RESOLVED that the Town Board resolution adopted on December 29, 1989 (agenda item #7) be amended to delete the words "gate", "sliding/locking gate" and "fence" therefrom and to replace such words with the words "an appropriate barrier".

BE IT FURTHER RESOLVED that the Highway Superintendent be directed to place signage at both the Buell Street entrance off Genesee Street and the West Sobieski Street entrance off Dick Road at least two weeks before the scheduled barricading of the road, advising motorists of date of closing,and

BE IT

FURTHER RESOLVED, that the Highway Superintendent publish an ad in the Town's official newspaper, the Cheektowaga Times, notifying the public of the road's closing and showing alternate routes.

Item No. 7 continued

MOTION BY COUNCILMAN SOLECKI AND SECONDED BY COUNCILMAN GABRYSZAK TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: Supervisor Swiatek
ABSENT: 0

* *

AMENDED

Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, by Town Board resolution adopted on December 18, 1989 (agenda item #3), it was directed that Buell Avenue be made a dead-end highway, and

WHEREAS, thereafter, by Town Board resolution adopted on December 29, 1989 (agenda item #2), it was directed that Buell Avenue be closed, a gate be installed at a designated location and funds be appropriated therefore, and

WHEREAS, this Board has reviewed the situation on Buell Avenue together with the Town Superintendent of Highways and has devised a solution to the existing problem on Buell Avenue that will promote the health, safety and welfare of the Town residents, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolutions dated December 18, 1989 (agenda item #3) and December 29, 1989 (agenda item #2) be and hereby are rescinded, and BE IT FURTHER

RESOLVED that this Town Board hereby directs that the following actions be taken with respect to Buell Avenue:

1. The Town Superintendent of Highways take any and all action necessary to dead-end Buell Avenue (north- and south-bound) at the northerly property line of 123 Buell Avenue, extended westerly across Buell Avenue on or before March 1, 1990.
2. An appropriate barrier be erected at the aforementioned dead-end location on Buell Avenue under the direction of the Town Superintendent of Highways on or before March 1, 1990.
3. The Town Engineer and Superintendent of Highways review the feasibility, as per sketch, of constructing turnarounds at the Buell Avenue dead-ends and report back to this Town Board their findings and recommendations pertaining to land acquisition, cost estimates, etc.

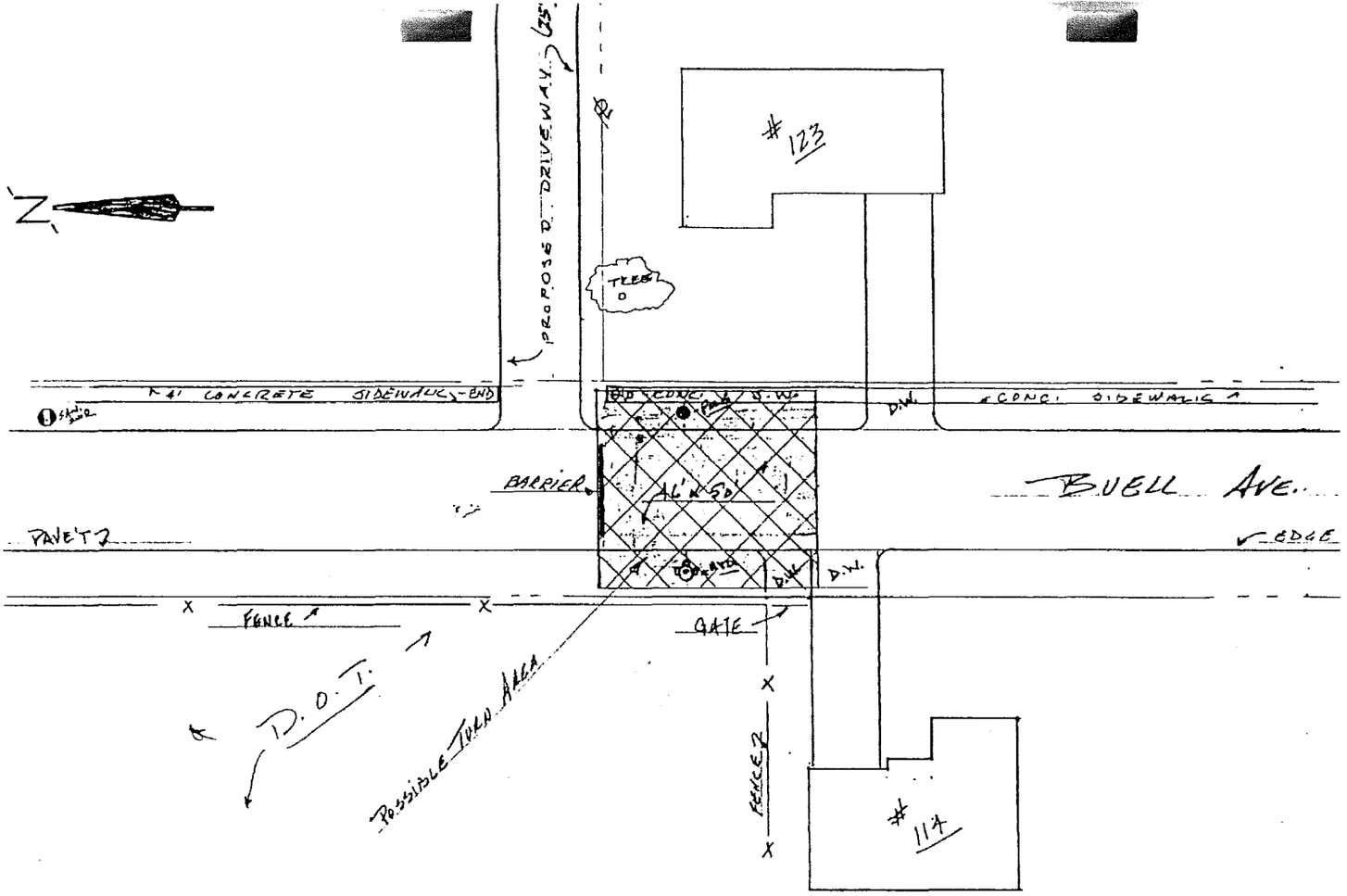
and BE IT FURTHER

RESOLVED that the Town Board resolution adopted on December 29, 1989 (agenda item #7) be amended to delete the words "gate", "sliding/locking gate" and "fence" therefrom and to replace such words with the words "an appropriate barrier".

BE IT FURTHER RESOLVED that the Highway Superintendent be directed to place signage at both the Buell Street entrance off Genesee Street and the West Sobieski Street entrance off Dick Road at least two weeks before the scheduled barricading of the road, advising motorists of date of closing,and

BE IT

FURTHER RESOLVED, that the Highway Superintendent publish an ad in the Town's official newspaper, the Cheektowaga Times, notifying the public of the road's closing and showing alternate routes.



HIGHW	
ARC	
W/ F	
DRAWN	
DATE	
SCALE	

Item No. 7 continued

Upon Roll Call....
AYES: Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: Supervisor Swiatek
ABSENT: 0

Item No. 8a Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association have agreed to the terms and conditions for a 1989-1991 collective bargaining agreement between such parties, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGES FOR AGREEMENT

AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND THE

TOWN OF CHEEKTOWAGA PUBLIC SAFETY DISPATCHERS ASSOCIATON

December 1, 1989 - December 31, 1991

Article	Section	Page
ARTICLE 1	RECOGNITION	2
ARTICLE 2	NEGOTIATING UNIT	2
ARTICLE 3	UNION SECURITY	2-4
	3.01 Union Membership	2
	3.02 Payroll Deductions of Union Dues	2-4
	3.03 Bulletin Boards	4
	3.04 Aid to Other Unions	4
ARTICLE 4	MANAGEMENT'S RIGHTS	4-5
ARTICLE 5	HOURS OF WORK	5-6
	5.01 Regular Hours	5
	5.02 Work Week	5-6
	5.03 Work Schedules	6
	5.04 Work Records	6
ARTICLE 6	HOLIDAYS	6-7
	6.01 Holidays Observed and Recognized	6-7
ARTICLE 7	VACATIONS	7-11
	7.01 Choice of Vacation Period	7-9
	7.02 Vacation Schedule	9
	7.03 Vacation Credits upon Layoff, Separation or Death	9-10
	7.04 Vacation Carryover	10-11
	7.05 Benefits upon Retirement	11
ARTICLE 8	SICK LEAVE	11-16
	8.01 Sick Leave Defined	11-12
	8.02 Application and Accrual	12-15
	8.03 Unused Sick Leave Upon Retirement	15
	8.04 Sick Bank	15
	8.05 Sick Leave Upon Death	15-16
ARTICLE 9	LEAVE OF ABSENCE	16-17
ARTICLE 10	LEAVES	18-22
	10.01 Bereavement Leave	18
	10.02 Personal Leave	19
	10.03 Jury Duty	19-20
	10.04 Civic Duty	20-21
	10.05 Military Service Leave	21
	10.06 Leave for Civil Service Examination	21-22
ARTICLE 11	UNPAID LEAVES	22-23
	11.01 Union Business	22
	11.02 Education	22-23
	11.03 Maternity Leave	23
ARTICLE 12	RETIREMENT PLAN	23
ARTICLE 13	INSURANCE COVERAGE	24
ARTICLE 14	HEALTH INSURANCE	24-27
ARTICLE 15	WAGES	27-28
	15.01 Wage Schedule	27
	15.02 Longevity Service Pay	27-28
	15.03 Pay Period	28
	15.04 Shift Differentials	28
	15.05 Vacation Day	28

ARTICLE 16.....29-30
16.01 Call Time.....29
16.02 Premium Rates of Pay.....29
16.03 Training Time.....29
16.04 Use of Compensatory Time.....29-30
ARTICLE 17 SENIORITY.....30-31
17.01 Definition.....30
17.02 Probationary Employees.....30-31
ARTICLE 18 WORK FORCE CHANGES.....31-32
18.01 Competitive Civil Service Jobs.....31
18.02 Layoff.....31-32
18.03 Recall.....32
ARTICLE 19 DISCIPLINE AND DISCHARGE.....32-34
ARTICLE 20 SETTLEMENT OF DISPUTES.....34-37
20.01 Grievance and Arbitration Procedure.....34-37
20.02 Time Limitations.....37
20.03 Grievance Meetings.....37
ARTICLE 21 UNION COMMITTEES.....37-39
21.01 Grievance Committee.....37-38
21.02 Labor/Management Committee.....38
21.03 Negotiation Committee.....38
21.04 Renewal of Agreement.....38-39
ARTICLE 22 STRIKES AND LOCKOUTS.....39
22.01 Lockouts.....39
22.02 Strikes.....39
ARTICLE 23 GENERAL PROVISIONS.....39-43
23.01 Pledge Against Discrimination and Coercion....39-40
23.02 Union Activities on Employers Time and Premises.....40-41
23.03 Work Rules.....41
23.04 Uniform Allowance.....42
23.05 Personnel Policy.....42
23.06 Personnel Automobile Reimbursement.....42
23.07 Tuition Reimbursement.....42
23.08 Residency Requirement.....43
23.09 Replacement.....43
23.10 Effectiveness of this Agreement.....43
ARTICLE 24 43
ARTICLE 25 SAVINGS CLAUSE.....43-44
ARTICLE 26 TERMINATION AND MODIFICATION.....44

A G R E E M E N T

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND THE

TOWN OF CHEEKTOWAGA PUBLIC SAFETY DISPATCHERS ASSOCIATION

THIS AGREEMENT IS MADE THIS DAY OF , 1989, BY AND BETWEEN THE SUPERVISOR OF THE TOWN OF CHEEKTOWAGA, ON BEHALF OF THE TOWN BOARD OF CHEEKTOWAGA, HEREINAFTER REFERRED TO AS THE "TOWN", AND THE TOWN OF CHEEKTOWAGA PUBLIC SAFETY DISPATCHERS ASSOCIATION, HEREINAFTER REFERRED TO AS THE "UNION", HAS AS ITS PURPOSE THE PROMOTION OF HARMONIOUS RELATIONS BETWEEN THE BOARD AND THE UNION, ESTABLISHMENT OF AN EQUITABLE AND PEACEFUL PROCEDURE FOR THE RESOLUTION OF DIFFERENCES; AND THE ESTABLISHMENT OF RATES OF PAY, HOURS OF WORK AND OTHER CONDITIONS OF EMPLOYMENT.

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

ARTICLE 1

RECOGNITION

The Board recognizes the Union as the sole and exclusive bargaining agent for the purposes of establishing wages, hours and other conditions of employment for the employees in the negotiating unit, hereinafter described. Such recognition shall extend for the maximum period allowed by law.

ARTICLE 2

NEGOTIATING UNIT

The negotiating unit shall consist of all full-time appointed Public Safety Dispatchers employed by the "Town", except the Senior Public Safety Dispatcher. As used herein, the term "Dispatcher" shall mean a member of the bargaining unit.

ARTICLE 3

UNION SECURITY

SECTION 3.01 - UNION MEMBERSHIP

(a) Each dispatcher who, on the effective date of this Agreement or who thereafter is a member of the Union and files a dues deduction authorization, shall have dues deducted from his paycheck, on a weekly basis.

SECTION 3.02 - PAYROLL DEDUCTION OF UNION DUES

(a) All dispatchers who are members of the Union shall

tender their membership dues to the Union by signing the Authorization for Payroll Deduction of Union Dues on a form provided by the Union.

(b) The Town agrees to deduct Union membership dues in accordance with the amount certified by the Union to the Town and to maintain such dues deductions in accordance with the terms and conditions of the form of Authorization for Payroll Deduction of Union Dues provided by the Union from the pay of all dispatchers who have executed such authorization for payroll deduction of Union dues.

(c) Payroll deduction of Union dues, under the properly executed Authorization for Payroll Deduction of Union Dues form, shall be deducted in the next full pay period and each period thereafter from the pay of the dispatcher, providing the form is duly filed with the Fiscal Officer of the Town or his designee.

(d) The Town agrees to deduct from the wages of Dispatchers who are not members of the Union, an amount equal to the amount of dues paid by Union members, in the same manner as Union dues. The Union agrees to establish and maintain a procedure providing for the refund to any non-Union member a part of the deduction representing the pro-rata share of the expenditures of the Union in aid of activities or causes of a political or ideological nature, only incidentally related to the terms and conditions of employment.

(e) The aggregate total of all such deductions shall be remitted each month to the designated financial officer of the Union, together with a list from whom dues have been deducted, on or before the tenth (10th) of every such month.

(f) Any changes in the amount of Union dues to be deducted must be certified by the Union in writing to the Town's Fiscal Officer or his designee.

(g) The Union agrees to indemnify and hold harmless the Town for all deductions made pursuant to this section.

SECTION 3.03 - BULLETIN BOARDS

The Town shall install one (1) bulletin board for the exclusive use of the Union in a convenient and reasonable place.

SECTION 3.04 - AID TO OTHER UNIONS

The Town agrees there will be no aid, promotion or financing of any labor group or organization which purports to engage in collective bargaining by the Town or those designated as its representative or subordinate staff, for the purpose of undermining the Union during the term of this Agreement.

ARTICLE 4

MANAGEMENT'S RIGHTS

The Town reserves the exclusive right to manage the business of the Town and to direct the employees in the discharge of their duties, subject to the terms of this

Agreement. The right to manage and direct the employees includes the right to hire, suspend, or discharge for proper cause in accordance with the applicable laws, the apportionment of the working force and the right to control the Town's property. In the exercise of these rights, the Town shall observe and be bound by the provisions of this Agreement.

ARTICLE 5

HOURS OF WORK

SECTION 5.01 - REGULAR HOURS

(a) The regular hours of work each day shall be consecutive, except for interruptions for lunch periods.

(b) All employees covered by this Agreement shall be required to either sign a time sheet or use a time clock at the beginning of each shift and the conclusion thereof and at the beginning and end of each lunch break.

SECTION 5.02 - WORK WEEK

The normal work week shall begin at 12:01 a.m. Monday and continue until midnight the following Sunday. The standard work day shall be eight (8) hours and the standard work week shall be forty (40) hours. Whenever practicable, two (2) consecutive days off shall be provided in each work week. Each Dispatcher shall have a lunch period of one-half (1/2) hour in each eight (8) hour tour of duty. Each Dispatcher shall have a fifteen (15) minute rest period

during each one-half shift. The scheduling of lunch and rest periods shall be in a manner consistent with providing adequate coverage to meet the responsibilities of the Communication Center. Further, and unless permitted otherwise by an appropriate superior, lunch and rest periods are to be taken in the police building.

SECTION 5.03 - WORK SCHEDULES

There shall be, normally, three (3) work shifts, with starting times of 7:30 a.m., 3:30 p.m., and 11:30 p.m. The parties agree to continue negotiations on a work schedule containing straight shifts to become effective no later than October 1, 1990. Shift selection is to be based upon seniority, as hereinafter defined. The results of such negotiations shall become incorporated in a separate Memorandum of Agreement signed by the parties and upon execution shall be deemed a part hereof. Nothing herein shall preclude the parties from discussing work schedules at the monthly meetings referred to hereinafter.

SECTION 5.04 - WORK RECORDS

A daily record of time worked shall be made available to each dispatcher upon request.

ARTICLE 6

HOLIDAYS

SECTION 6.01 - HOLIDAYS OBSERVED AND RECOGNIZED

(a) The following shall be recognized and observed as

paid holidays:

New Year's Day	Election Day
Lincoln's Birthday	Veterans Day
Washington's Birthday	Columbus Day
Good Friday	Thanksgiving Day
Easter Sunday	December 24th
Memorial Day	Christmas Day
Independence Day	Employee Birthday
Labor Day	

(b) Each Dispatcher shall be paid the value of the above listed holidays, whether worked or not. Such value shall be determined by the Dispatchers' then current daily rate of pay. Each Dispatcher, in January of each year, shall advise the Town or its designee of whether he wishes to receive such holiday pay in cash or in compensatory time. In 1990, a Dispatcher may elect to receive up to the value of seven (7) holidays in compensatory time. Commencing in 1991, Dispatchers may receive the value of all listed holidays in compensatory time, subject to the limitations of Section 16.04.

ARTICLE 7

VACATIONS

SECTION 7.01 - CHOICE OF VACATION PERIOD

(a) Dispatchers shall be furnished vacation request forms in duplicate. One (1) is to be retained by the dispatcher and one (1) by their Department Head.

(b) Dispatchers shall request vacation to be taken during the periods June through November, and December through May. Vacation request forms shall be completed and submitted between May 1 and May 15 for the June through November period, and between November 1 and November 15 for the December through May vacation period. If the operation of the Communication Center makes it necessary to limit the number of dispatchers on vacation in any particular time, the dispatcher(s) with the greater seniority shall be given his(their) choice of vacation period. Vacation days may not be taken in less than one (1) units. Approval of such vacation must be obtained at least 48 hours in advance. Notwithstanding the foregoing however, and where practicable, vacations shall be taken in full weeks. Requested vacation of less than five (5) days in a Dispatcher's work week shall not have priority in the granting of vacation over requested vacation of five (5) or ten (10) consecutive work days. Further, a Dispatcher is limited to no more than ten (10) days vacation in each of the specified vacation periods; unless there is additional days available after all Dispatchers bidding on vacation during the period have been been granted such. Vacation requests shall not be unreasonably denied.

(c) Vacation periods shall be taken each year. Dispatchers who do not request a vacation period by the end

of the bidding period following the year in which the vacation was earned shall be scheduled for a vacation by the Chief of Police or his designee. Such vacation shall be scheduled within the balance of the months remaining in the employee's anniversary year.

SECTION 7.02 - VACATION SCHEDULE

(a) Dispatchers shall accrue vacation as of their anniversary date of hire. With respect to those Dispatchers that were previously full-time employees of the Fire Alarm Committee of the Town of Cheektowaga, their anniversary date of hire shall be the date on which they were hired by the Fire Alarm Committee. Vacations will be provided in accordance with the following schedule:

After 1 year.....10 work days
After 5 years.....15 work days
After 10 years.....18 work days
After 15 years.....23 work days
After 20 years.....25 work days
After 25 years.....30 work days

SECTION 7.03 - VACATION CREDITS UPON LAYOFF, SEPARATION OR DEATH

Dispatchers covered by this Agreement shall receive, in cash, any vacation credits earned in the previous anniversary year and a pro-rata payment for the current year, in the event of layoff, separation (other than for cause) or death.

The pro-rata payment of vacation shall be determined by dividing twelve (12) into the number of vacation days earned the previous anniversary year, then multiplying by the number of months since the end of the prior anniversary year. In the event of the death of a dispatcher, such payment shall be made to his estate.

SECTION 7.04 - VACATION CARRYOVER

Vacation carryover means carrying unused vacation entitlement from one year to the next consecutive year. The Chief of Police may allow vacation carryover in the specific instances which follow:

(a) A dispatcher entitled to vacation benefits who may become ill or incapacitated for an extended period prior to the taking of such vacation, which results in the dispatcher being unable to take vacation, may request carryover privileges provided that such illness or accident is medically verified by a physician, specifying the nature, anticipated duration and date of disability.

(b) A dispatcher being injured in the discharge of his duties and disabled during the selected vacation period.

(c) A dispatcher eligible to carry over vacation in (a) or (b) above may, at his option, elect to receive the cash equivalent of five (5) or ten (10) days of earned vacation, if he has sufficient vacation days to his credit. Payment for such shall be made at the end of the anniversary year the

vacation is to be taken. If the employee elects to receive such cash equivalent, the balance of earned vacation, if any, over five (5) or ten (10) days, may then be carried over, subject to the provisions of this Section.

(d) The decision of the Chief of Police in granting or denying such carryover is not subject to the grievance procedure.

SECTION 7.05 - BENEFITS UPON RETIREMENT

(a) Each dispatcher shall be paid, at the time of his retirement, the monetary value of any unused vacation time and overtime standing to his credit on the date of the retirement.

(b) Dispatchers intending to retire may notify the Town two (2) years in advance and may be permitted to accumulate time off and vacation for one and one-half (1 1/2) years, the value of which will be paid as salary during the final year of employment and included as wages for pension purposes, insofar as permitted by law.

ARTICLE 8

SICK LEAVE

SECTION 8.01 - SICK LEAVE DEFINED

(a) Sick leave shall apply to absence due to illness of a dispatcher, his spouse, if residing in the same household as the Dispatcher or minor child(ren) or step-child(ren), except where such illness or injury is due to injury or

disease for which the dispatcher is entitled to receive Workers' Compensation.

(b) Dispatchers who are unable to perform their duties as a result of injury or disease received in the course of their employment shall receive Workers' Compensation benefits in accordance with law. In addition, such dispatchers shall receive a supplemental sum from the Town, by separate check, which shall be in an amount equal to the difference between the dispatcher's regular salary and the Workers' Compensation benefits. Such supplemental sum shall be deducted from the employee's accumulated compensatory time, sick leave, vacation and personal leave, in said order. Such deduction shall be on a percent basis equivalent to the percentage such supplemental sum is of the employee's regular salary.

SECTION 8.02 - APPLICATION AND ACCRUAL

(a) Dispatchers who were formerly full-time employees of the Fire Alarm Committee of the Town of Cheektowaga shall earn sick leave at the rate of one and one-half (1 1/2) days per month, which shall accumulate to a maximum of two hundred sixty-two (262) days.

(b) Dispatchers hired on or after January 1, 1989 shall earn sick leave as follows:

(1) For the first eighteen months of employment at the rate of one (1) day per month;

(2) After eighteen (18) months of employment

at the rate of one and one-half (1 1/2) days per month;

(3) Such dispatchers hired on or after January 1, 1989 shall accumulate sick leave to a maximum of one hundred sixty-five (165) days.

(c) A dispatcher must have actually worked at least ten (10) days during the month to be credited with sick leave accrual for that month. For the purposes of this subsection, paid days off, except sick leave days and Workers' Compensation days, shall be considered days actually worked.

(d) Each dispatcher shall receive a written net record of his accumulated sick leave balance at the end of each calendar year. The dispatcher's record shall be debited one (1) full day for each sick day used. Partial sick days shall be debited to the nearest two (2) hours used.

(e) The Town Board may, by act or resolution, authorize extended sick leave payments for sick leave in the event of sickness or injury of the dispatcher only, if the dispatcher has exhausted all of his accrued sick leave, sick leave bank benefits and any other paid leave benefit. Such payment, however, shall not exceed fifteen (15) days and must be repaid to the Town upon return to work.

(f) No sick leave shall be authorized and no payment shall be made unless the dispatcher shall have notified his immediate supervisor or designee of his absence, the reason

therefore, and his anticipated return, at the earliest opportunity prior to the time he is scheduled to report for work.

(g) Dispatchers believed to be abusing sick leave privileges, in the first instance, may be given written warning by the Town Supervisor, Chief of Police, or designee that any future sick leave must be supported by medical documentation and further that a failure to improve or to provide said documentation and/or improvement will be grounds for further disciplinary action.

(h) If a dispatcher is believed to be abusing sick leave privileges after being given the warning set forth in Section 8.02(g), he shall be subject to the disciplinary procedure of this Agreement, without any further warnings.

(i) In the event a dispatcher is laid off as a result of the abolition of a position and returns to employment in the bargaining unit within one (1) year, his previously accumulated sick leave balance shall be restored to him.

(j) If a dispatcher is absent for three (3) consecutive work days, the Chief of Police or designee may require a medical report attesting to the dispatcher's illness or family's illness, as set forth in Section 8.01(a), and inability to work before the dispatcher shall receive pay for those days. If a dispatcher is absent the day before and the day after his normal days off, or the day before and the day

after a holiday or holiday weekend, such an absence shall be considered as three (3) consecutive work days of absence for purposes of this subsection.

SECTION 8.03 - UNUSED SICK LEAVE UPON RETIREMENT

(a) Dispatchers who retire shall be compensated for accumulated and unused sick leave at the time of retirement in an amount equal to 65% of the total value of such accumulated and unused sick leave after application of such to retirement.

(b) These payments may be paid over the last twelve (12) months of employment, provided the Dispatcher gives at least twelve (12) months notice of the date on which he will retire. Notice must be tendered on a form provided by the Town and shall be deemed a resignation to take effect on a future date twelve (12) months after acceptance of the resignation by the Town Board. The foregoing time limit shall not apply where a Dispatcher becomes sufficiently disabled to warrant his disability retirement under the New York State Employees Retirement System.

SECTION 8.04 - SICK BANK

The Sick Leave Bank as heretofore established and controlled by the Association shall continue.

SECTION 8.05 - SICK LEAVE UPON DEATH

If a dispatcher shall die while an employee covered under this Agreement, payment of a portion of his accumulated

and unused sick leave balance shall be made to his estate. Such payment shall equal:

1990 - 55% of total value of accumulated and unused sick leave

1991 - 65% of total value of accumulated and unused sick leave

ARTICLE 9

LEAVE OF ABSENCE

Dispatchers shall be eligible for a leave of absence for reasonable purpose, including, but not limited to, a child rearing leave for natural or adopted children, after (6) months of employment. All such leaves, whether paid or unpaid, shall be handled in accordance with the following procedure:

(a) Any request for a leave of absence shall be submitted in writing by the Dispatcher to the Board. The request shall state the reason the leave of absence is being requested and the length of time off the dispatcher desires.

(b) Authorization for a leave of absence shall be furnished to the dispatcher by the Board in writing. The Board may include any conditions deemed necessary upon the granting of such leave of absence.

(c) Request for leave of absence shall be answered in a prompt fashion by the Board, no later than the day succeeding the next regularly scheduled Town Board meeting following receipt of such request.

(d) No leave of absence shall exceed one (1) year in length.

(e) A dispatcher shall be returned to the position held at the time the leave of absence was granted. Dispatchers shall not accrue seniority while on any leave of absence granted pursuant to this Article.

(f) A request for leave of absence shall not be granted to the dispatcher for the purpose of engaging in employment other than for the Town of Cheektowaga, except that a request for a leave of absence for reasons of self-employment for a period of no longer than six (6) months may be granted in the discretion of the Town Board.

(g) The granting or denying of any leave of absence is in the sole discretion of the Town Board; its decision is final and binding on all parties and is not reviewable through the grievance procedure.

ARTICLE 10

LEAVES

SECTION 10.01 - BEREAVEMENT LEAVE

(a) Dispatchers who were previously full-time employees of the Town of Cheektowaga Fire Alarm Committee shall be granted up to five (5) consecutive days paid leave in the event of the death of the dispatcher's spouse, parent, child, sister, brother, grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law. If a death occurs during the regular work day, the day will not be charged as one of the five days.

(b) Dispatchers hired on or after January 1, 1989 shall be granted paid bereavement leave as follows:

death of: spouse, child, parent, grandparent, grandchild, brother, sister....up to (5) consecutive days

death of: father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law ....up to (3) consecutive days

(c) To be eligible to receive paid bereavement leave, the dispatcher shall notify his immediate supervisor or designee at the earliest opportunity prior to the time he is scheduled to report. The dispatcher shall advise his immediate supervisor or designee of the reason for his absence and the anticipated number of days he will be absent from work as a result thereof.

SECTION 10.02 - PERSONAL LEAVE

(a) Personal leave shall mean a paid leave of absence from scheduled work for the purpose of the dispatcher performing a personal obligation or emergency.

(b) Dispatchers shall be granted up to five (5) personal leave days per year, pro-rated on a calendar year basis, based upon each individual's date of hire by the Town. For purposes of this section, dispatchers who were previously full-time employees of the Town of Cheektowaga Fire Alarm Committee shall be granted personal leave for the year 1989 based upon their actual date of employment by the Town. Any personal leave days unused for 1989 may, at the employee's option, be converted to compensatory time.

(c) Personal leave days are non-cumulative. Such days may be used only if approved at least twenty-four (24) hours in advance by the dispatcher's immediate supervisor, except in the case of an emergency. Such approval shall not be unreasonably withheld. No more than two (2) dispatchers will be granted personal leave for the same days.

(d) Any personal leave days not used by a dispatcher shall be added to his vacation entitlement in the following year or to his sick leave accumulation, at the dispatcher's option.

SECTION 10.03 - JURY DUTY

Dispatchers who are required to report for jury duty

must notify their immediate superior of such and provide a copy of the notice to him. Dispatchers who report for jury duty shall be paid their full salary; however, they shall assign to the Town all fees for such, except those received as reimbursement for actual expenses (i.e., mileage, meals, lodging, etc.).

SECTION 10.04 - CIVIC DUTY

(a) Dispatchers subpoenaed to appear before a court or other public body on a matter not related to their work and in which they are not personally involved as plaintiff, defendant or other party, shall be granted leave with pay for the period necessary to a maximum of two (2) work days. The dispatcher shall use his compensatory time, sick leave accumulation, vacation days or personal leave days for such absence, at the employee's option, to receive pay for such. The employee must provide a copy of the subpoena to his immediate supervisor prior to the time he will be absent to receive pay for such absence.

(b) Dispatchers subpoenaed to appear before a court or other public body on a matter related to their employment with the Town and during their regularly scheduled hours of work shall receive their regular rate of pay for such time, without loss of any leave accruals or benefits. The dispatcher must provide a copy of the subpoena to his immediate supervisor prior to the time of his absence from work.

(c) If a Dispatcher is required to appear in the Town of Cheektowaga Justice Court, at any time other than his regularly scheduled work hours, on a matter related to his employment with the Town, he shall be paid a minimum of three (3) hours pay, at his regular hourly rate. If the Dispatcher is required to appear in any other court at a time other than his regularly scheduled work hours, and on a matter related to his employment with the Town, he shall be paid a minimum of four (4) hours pay, at his regular hourly rate.

SECTION 10.05 - MILITARY SERVICE LEAVE

All dispatchers eligible for benefits under Section 242 and 243 of the Military Law of the State of New York shall be afforded such benefits in accordance with the law.

SECTION 10.06 - LEAVE FOR CIVIL SERVICE EXAMINATION

(a) Upon written application in advance to the Town Board, a dispatcher shall be granted time, consistent with the maintenance of the duties of the Communication Center, with no loss of pay, to take Civil Service tests related to his employment with the Town. Leave will be granted for the specified time limit of the examination, as authorized by the Town Board.

(b) The parties hereto mutually acknowledge that the maintenance of the Public Safety Communication Center, and its proper functioning, is of utmost concern. If, as a

result of civil service promotional examinations, the manpower level of the office should fall below proper standards, as determined by the Town, those standards may be met by the use of the senior public safety dispatcher or by uniformed police officers to provide the Communication Center functions during such times.

ARTICLE 11

UNPAID LEAVES

SECTION 11.01 - UNION BUSINESS

(a) Members of the Union selected by the Union to participate in a Union activity may be granted an unpaid leave of absence at the request of the Union. A leave of absence for such Union activity shall not exceed one (1) month, but it may be renewed or extended for a similar period of time upon the request of the Union.

SECTION 11.02 - EDUCATION

(a) After completion of one (1) year of service, a dispatcher, upon request, may be granted a leave of absence for educational purposes. The period of time of the leave of absence shall not exceed one (1) year, but it may be extended or renewed upon the request of the dispatcher.

(b) A one (1) year leave of absence (with any granted extension) for education purposes shall not be provided more than once every three (3) years.

(c) Dispatchers may be granted leaves of absence for

educational purposes,not to exceed one (1) month in any calendar year to attend conferences, seminars, briefing sessions, or other functions of a similar nature that are intended to improve or upgrade the individual's skill or professional ability, as such relates to his employment with the Town.

SECTION 11.03 - MATERNITY LEAVE

A dispatcher who is disabled as a result of pregnancy shall be permitted maternity leave. Maternity leave shall commence on the date the dispatcher is incapable of performing her duties and shall terminate on the date the dispatcher is capable of returning to her regular duties, as determined by attesting medical reports. During such maternity leave, the dispatcher shall utilize accumulated sick leave, compensatory time, personal leave and vacation. In addition, the employee may have medical insurance premiums paid by the Town, pursuant to Article 14, during such maternity leave, upon request.

ARTICLE 12

RETIREMENT PLAN

(a) The Town shall provide retirement benefits pursuant to Section 75-C of the Retirement and Social Security Law of the State, along with Rider 41-J.

(b) The Town shall be copied with all requests for retirement submitted to the New York State Retirement System.

ARTICLE 13

INSURANCE COVERAGE

The Town will provide a twenty five thousand ($25,000) dollar group life insurance policy for each member of the bargaining unit. Such policy shall become effective upon completion of three (3) months of service.

ARTICLE 14

HEALTH INSURANCE

(a) The Town shall cover all dispatchers under the 82-83 Blue Shield Plan or a plan substantially the same and shall pay the full premium therefore, except as otherwise provided herein. Such coverage shall include XBR, $1.00 co-pay prescription rider, major medical with $100.00 deductible, and Rider 16. In addition, the Town shall continue to offer the options of Community Blue and Health Care Plan to dispatchers without additional cost.

(b) The Town shall also provide dispatchers those riders commonly known as riders 3, 4, 8, 12, 14 and prescription rider 8 or equivalent.

(c) In the event a dispatcher shall opt for coverage in a plan other than that provided by the Town as set forth above, the dispatcher shall pay to the Town the difference in premium, if any, between the cost of such coverage and the cost of the dispatcher's previous insurance. Such costs shall be compared yearly and necessary adjustments made.

In the case of a newly-hired Dispatcher, the cost of such plan shall be compared with the cost of the Blue Shield Plan to determine the difference in premium and the amount to be paid.

(d) Upon reasonable advance, written application to the Employee Relations Office, dispatchers may continue health insurance coverage in the Town of Cheektowaga Health Insurance Plan while on an authorized leave of absence without pay (excluding leave because of extended illness pursuant to provisions of this Agreement) provided that the employee makes full payment of the monthly premium on or before the 1st day of each month that the employee is on such leave.

(e) The Town may select a different carrier or carriers as long as the benefits provided are substantially the same, and the issue, if any, of substantially the same benefits, is agreed to by the Union. In the event such agreement is not had, the issue shall be submitted directly to arbitration pursuant to Article 21 herein.

(f) The Town shall provide health insurance coverage for dispatchers who retire during the life of this Agreement as set forth in paragraphs (a) and (c) herein. All retirees, however, must reduce such coverage to medicare supplemental coverage at the age of sixty-five (65). Such coverage shall extend for the life of the retired employee.

(g) The Town shall also provide to dispatchers, without cost, a dental insurance plan which will provide benefits at least equal to that which is provided by the GHI-MI Dental Plan, including prosthetic, orthodontic and dependent to age 23 benefits. If the Town should determine to self-insure for dental coverage, it reserves the right to change the plan administrator, at any time, as long as the benefits are substantially the same. The Town further reserves the right to stop any self-insured dental plan and to provide the coverage herein through a traditional insurance company. The benefits available under a self-insured dental plan, if any, shall be as outlined in a separate memorandum of agreement between the parties.

(h) The Town shall also provide, without cost to the dispatcher, optical insurance known as Blue Cross Option 2.

(i) The Town shall have the right to eliminate duplicate coverage. Upon request, a dispatcher shall sign a statement as to whether he has or will procure health insurance coverage through the employment of a spouse, other employment of the dispatcher or through a private insurance plan.

(j) Dispatchers hired on or after January 1, 1989 shall pay, through weekly payroll deductions, a portion of their health insurance premium as follows:

For the first year of employment.....25%

For the second year of employment....10%

For the third year of employment and

thereafter.....0%

(k) If, during the duration of this Agreement, the monthly premium rates for the coverages provides increases by more than 25% per year from the rates in effect on December 31, 1988 or any December 31 thereafter, the payment of the premium over the 25% will be negotiated by the parties hereto to determine what share, if any, the dispatchers shall pay.

ARTICLE 15

WAGES

SECTION 15.01 - WAGE SCHEDULE

(a) The wage schedule for all dispatchers shall be as set forth in Appendix A of this Agreement.

(b) Dispatchers entitled to a wage or salary increment shall receive such increment upon their completing the required amount of service from their original date of hire, on the pay day immediately after such anniversary date.

SECTION 15.02 - LONGEVITY SERVICE PAY

Effective January 1, 1990, dispatchers shall, upon their anniversary date, receive the applicable amount in the following schedule. Such amounts shall be cumulative and paid to the employee on the next pay date following such anniversary.

After five (5) years.....$225.00

After ten (10) years.....$250.00

After fifteen (15) years.....$350.00

Effective January 1, 1991, each of the above amounts shall be increased by the sum of twenty-five ($25.00) dollars.

SECTION 15.03 - PAY PERIOD

The wages of all dispatchers covered by this Agreement shall be paid on the same day each week. In the event this day is a holiday, the preceding day shall be pay day.

SECTION 15.04 - SHIFT DIFFERENTIALS

(a) A dispatcher regularly assigned to and working the second shift shall be paid an additional twenty-five ($.25) per hour for all hours worked.

(b) A dispatcher regularly assigned to and working the third shift shall be paid an additional thirty-five ($.35) cents per hour for all hours worked.

SECTION 15.05 - VACATION PAY

A dispatcher shall make arrangements at least two (2) weeks in advance if he desires to receive his vacation pay prior to taking his vacation.

ARTICLE 16

SECTION 16.01 - CALL TIME

(a) A dispatcher called for emergency duty in addition to or outside his regular scheduled shift shall be paid for a minimum of four (4) hours at the rate of time and one-half. This section shall not apply to normal call-ins.

SECTION 16.02 - PREMIUM RATES OF PAY

A dispatcher who works in excess of eight (8) hours in a given day or forty (40) hours in a work week shall be paid time and one-half for all such hours. The dispatcher may elect to receive such either in pay or compensatory time off.

SECTION 16.03 - TRAINING TIME

Any dispatcher required to attend in-service training on off-duty time shall be compensated for such for all such hours at straight time. The dispatcher may elect to be paid for such at his normal hourly rate or to receive credit for such in compensatory time.

SECTION 16.04 - USE OF COMPENSATORY TIME

A dispatcher may use up to twenty-four (24) hours of compensatory time during 1990. Compensatory time beyond twenty-four (24) hours may be used by the dispatcher, in the discretion of the Chief of Police or designee, or if the use of such does not result in an overtime situation. Prior approval for the use of such must be obtained from a dispatcher's immediate superior or designee at least forty-

eight (48) hours in advance. In 1991, the foregoing limit shall be increased to forty-eight (48) hours.

ARTICLE 17

SENIORITY

SECTION 17.01 - DEFINITION

Seniority shall be defined as a dispatcher's length of continuous service with the Town since his last date of hire as a public safety dispatcher. Dispatchers who were previously full-time employees of the Town of Cheektowaga Fire Alarm Committee shall be considered Town employees as of their date of hire by the Fire Alarm Committee. In the event that more than one (1) dispatcher is hired on the same date, the dispatcher's ranking on the Civil Service list for said position shall control. In the event more than one dispatcher is hired on a provisional basis, in the absence of any Civil Service list, the order of names appearing on the Town Board's hiring resolution shall control.

SECTION 17.02 - PROBATIONARY EMPLOYEES

(a) All new dispatchers shall be considered as probationary employees for the first one (1) year of employment. There shall be no seniority among probationary employees. Upon successful completion of probation, the Dispatcher shall be placed on a seniority list. Newly-hired Dispatchers shall be eligible for bereavement leave, jury

duty leave and health insurance benefits, as set forth herein, on the first day of the next succeeding month following appointment; group life insurance on the first days of the next succeeding month after three (3) months of employment; and, upon the first day of the next succeeding month following completion of formal training, to all benefits afforded to all regular full-time Dispatchers, except as otherwise set forth herein.

(b) The Union shall represent probationary dispatchers for the purpose of collective negotiations with respect to wages, hours and other conditions of employment as set forth under Article 1 of this Agreement, except for discharge and discipline for other than Union activity.

ARTICLE 18

WORK FORCE CHANGES

SECTION 18.01 - COMPETITIVE CIVIL SERVICE JOBS

The Civil Service Law of New York and the Rules and Regulations of the State Civil Service Commission shall govern the selection of employees for positions in the competitive class of Civil Service. Selections from promotional lists shall be made as long as said lists remain valid before any consideration may be given to names appearing on any other list that may be in effect.

SECTION 18.02 - LAYOFF

(a) The word "layoff" means a reduction in work force.

If the Board anticipates a layoff, it shall notify the affected dispatchers and the Union fifteen (15) days prior to such anticipated layoff.

(b) Competitive class employees' layoff procedure shall be determined by the applicable provisions of the Civil Service Law.

SECTION 18.03 - RECALL

When the work force is increased after a layoff, dispatchers will be recalled according to the order of seniority, as defined in this Agreement. Notice of recall shall be sent to the dispatcher at his last known address by certified mail. If a dispatcher fails to report for work on the tenth (10th) day from the date of mailing of the notice of recall, he shall be considered a "quit". Recall rights for a dispatcher after a layoff shall expire three (3) years from the date of the layoff.

ARTICLE 19

DISCIPLINE AND DISCHARGE

(a) The procedure for taking disciplinary action against any dispatcher covered by this Agreement shall be as set forth herein. Since covered employees are protected by Section 75 and 76 of the Civil Service Law, a dispatcher shall have the option of resorting to the procedures therein in lieu of the procedures of this Article.

(b) Once it is determined by the Town that a dispatcher

may be subject to disciplinary action, he shall be provided an election form to be signed indicating whether the employee elects to proceed pursuant to the provisions of this Article or pursuant to the provisions of the Civil Service Law. The failure of the employee to complete the form or to return it within three (3) days of the date thereof shall constitute a waiver of the employee's election and disciplinary action shall proceed pursuant to either this Article or the Civil Service Law, at the election of the Town.

(c) Disciplinary action shall include: oral reprimand, written reprimand, suspension without pay, discharge or any combination of the foregoing.

(d) If a supervisor has reason to reprimand an dispatcher, it shall be done privately, except for the presence of a Union representative and representative of the Town Board and in a manner that will not embarrass the dispatcher before other employees or the public.

(e) If disciplinary action is to be taken against a dispatcher, other than oral or written reprimand, notification of such shall be given the dispatcher and the Union President in writing. Such notice shall state the reason for the disciplinary action and the penalty imposed.

(f) A reprimand, either oral or written, may be processed only through Step 3 of the grievance procedure hereinafter set forth. In the event of disciplinary action,

other than reprimand, a grievance contesting such shall be initiated at Step 2 of the grievance procedure, and shall be subject to the arbitration provisions thereof.

(g) Nothing herein shall prevent the Chief of Police from suspending an employee without pay pending further disciplinary action in the event of a serious violation.

(h) Provided there are no further instances of a similar nature, a written reprimand shall be removed from the dispatcher's file after twelve (12) months from the date thereof.

ARTICLE 20

SETTLEMENT OF DISPUTES

SECTION 20.01 - GRIEVANCE AND ARBITRATION PROCEDURE

A grievance is a dispute which may arise between the parties over the application, meaning or interpretation of the provisions of this Agreement. Grievances are to be resolved at the lowest possible level of the grievance procedure. Grievances shall be settled in the following manner:

Step 1: Any grievance may be discussed, informally, between the grievant (a representative of the Union, if desired by the grievant), and the senior public safety dispatcher or communications sergeant, as applicable. Such shall be discussed within five (5) days of the occurrence thereof.

(a) If unresolved, such shall then be either presented verbally or in writing by the grievant to the supervisor of the communication division. Such shall be presented to said supervisor within ten (10) days of the occurrence of the grievance. The supervisor shall respond to the grievance in the same form as the grievance was presented to him within five (5) days of such presentation.

Step 2: If still unresolved and within five (5) days after the response of the communication division's supervisor is either made or due, whichever shall occur sooner, the grievance shall be submitted in writing by the Union to the Chief of Police or his designee. The Chief or his designee shall discuss the matter with the Union within ten (10) days of his receipt thereof, and shall provide an answer thereto, in writing, within five (5) days after such meeting.

Step 3: If the grievance is not resolved, it shall be presented in writing by the Union or its authorized representative to the Coordinator of Employee Relations within five (5) days after the response of the Chief of Police or designee is due. When presented to the Coordinator of Employee Relations, the grievance shall include all writings and responses previously made. A copy shall be served simultaneously on the Labor/Management Committee of the Town Board. The Coordinator of Employee Relations shall discuss the grievance with the Union or its designee within

ten (10) working days from his receipt of the grievance and shall respond, in writing, within five (5) working days of such meeting.

STEP 4: If the grievance or dispute is still unresolved, either party may, within twenty (20) days after the reply of the Coordinator of Employee Relations is due, by written notice to the other, demand arbitration.

(a) The arbitration proceeding shall be conducted by an arbitrator from the following list: James Attleson, Howard Foster, Jacob Heyman and Stuart Pohl. Cases shall be assigned on a rotating basis. If, at the expiration of this Agreement, either party should decide to eliminate the panel of arbitrators and to follow the procedures of the Public Employment Relations Board of the State of New York, that party shall give the other notice thereof, at least thirty (30) days prior to the expiration of this Agreement.

(b) The arbitrator shall be requested to issue his decision within thirty (30) days after the conclusion of testimony and argument. The decision of the arbitrator shall be final and binding on both parties.

(c) Expenses for the arbitrator's services and proceedings shall be borne equally by the Town and the Union. If either party desires a transcribed copy of the proceedings, it shall pay for such transcription and make

copies available, without charge, to the other party and to the arbitrator.

(d) No arbitrator shall have the power to amend, modify or delete any provisions of this Agreement.

(e) Upon the mutual agreement of both parties, an arbitrator may be requested to hear and make determination on more than one (1) case, even though the cases are not related.

SECTION 20.02 - TIME LIMITATIONS

Time limitations in the grievance procedure may be extended and steps may be by-passed by mutual agreement, in writing.

SECTION 20.03 - GRIEVANCE MEETINGS

Any grievance meeting held pursuant to this Article during a dispatcher's working hours with the Town shall be without loss of wages for the dispatchers present at such meeting.

ARTICLE 21

UNION COMMITTEES

SECTION 21.01 - GRIEVANCE COMMITTEE

(a) Dispatchers selected to act on behalf of the Union shall be known as Union officers. The names of such shall be certified in writing to the Town Board by the Union.

(b) Such representatives may investigate and process grievances during working hours, without loss of pay or

benefits, consistent with the proper operation of the Communication Center.

SECTION 21.02 - LABOR/MANAGEMENT COMMITTEE

Conferences between at least two (2) representatives of the Police Department administration and (2) representatives of the Union on important matters, which may include the discussion of procedures for avoiding future grievances and other methods of improving the relationship between the parties, will be scheduled upon request. Arrangements for such meetings shall be made in advance and shall be held at reasonable hours as mutually agreed. Dispatchers acting on behalf of the Union shall suffer no loss of time or pay should such meetings fall within their regular work hours.

SECTION 21.03 - NEGOTIATION COMMITTEE

Dispatchers selected by the Union, not exceeding (3) in number to act in its behalf during the period of negotiation of a labor contract shall suffer no loss of time or pay for such time spent during their regular work hours.

SECTION 21.04 - RENEWAL OF AGREEMENT

The Board and the Union agree to begin negotiations concerning a successor or amended contract no later than June 15th of the final year of the contract. Any contract proposals to amend the current contract shall be reduced to writing by the Town and the Union and shall be exchanged no later than July 1st.

In any negotiations described in this contract, each party shall have the right to select its own consultants and representatives from within or without the Town. It is recognized that no final agreement between the parties shall be effected without ratification by the Town Board and by the members of the Union.

ARTICLE 22

STRIKES AND LOCKOUTS

SECTION 22.01 - LOCKOUTS

No lockout of employees shall be instituted by the Town during the terms of this Agreement.

SECTION 22.02 - STRIKES

No strikes of any kind shall be caused or sanctioned by the Union during the term of this Agreement.

ARTICLE 23

GENERAL PROVISIONS

SECTION 23.01 - PLEDGE AGAINST DISCRIMINATION AND COERCION

(a) The provisions of this Agreement shall be applied equally to all employees in the bargaining unit without discrimination as to age, sex, marital status, race, color, creed, national origin or political affiliation. The Union shall share equally with the Board the responsibility for applying this provision of this Agreement.

(b) All reference to employees in this Agreement designate both sexes, and wherever one gender is used, it shall be construed to include both male and female employees.

(c) The Board agrees not to interfere with the rights of Dispatchers to become members of the Union and there shall be no discrimination, interference, restraint or coercion by the Town or any Town representative against any Dispatcher because of Union activity in an official capacity on behalf of the Union.

(d) The Union recognizes its responsibility as the sole and exclusive representative of the negotiating unit and agrees to represent all employees in the negotiating unit.

SECTION 23.02 - UNION ACTIVITIES ON EMPLOYER'S TIME AND PREMISES

(a) The Town agrees that during working hours and on the Town's premises and without loss of time of pay, Union representatives shall be allowed to perform the following, providing that same does not interfere unreasonably with performance of work or the proper function of the Communication Center:

post Union notices;
distribute Union literature'
solicit Union membership during other dispatcher's non-working time;
transmit communications authorized by the local union or its officers to the Town or its representative;

consult with the Town, its representatives or local union officers concerning the enforcement of any provision of this Agreement; instruction of loss control and safety.

SECTION 23.03 - WORK RULES

(a) The Town agrees to discuss changes in existing work rules or the establishment of new work rules with the Union.

(b) In the event an agreement cannot be reached between the parties, then the Town may implement such work rule changes, however, the Union retains the right to utilize the grievance arbitration provision of this Agreement to restore the work rule to the status quo for good cause shown.

(c) When existing rules are changed or new rules are established, they shall be posted prominently on the Union bulletin board.

(d) The Town agrees to furnish each dispatcher with a copy of all existing work rules within thirty (30) days after they become effective. Newly-hired dispatchers shall be provided a copy of the rules at the time of hire.

(e) Dispatchers shall comply with all existing rules that are not in conflict with the terms of this Agreement, provided the rules are uniformly applied and uniformly enforced.

(f) Any complaint as to the reasonableness of any new or existing rule or any complaint involving discrimination in

the application of new or existing work rules shall be resolved through the grievance procedure.

SECTION 23.04 - UNIFORM ALLOWANCE

Dispatchers shall be given an allowance for the purchase, maintenance and cleaning of uniforms, as directed by the Town, in the amount of $250.00 for 1990, and $200.00 for 1991. Payment of such shall be made in January of each year. Dispatchers who receive a uniform allowance and leave the position of public safety dispatcher for any reason during the calendar year shall return to the Town a pro-rata share of the yearly uniform allowance.

SECTION 23.05 - PERSONNEL POLICY

Thirty (30) copies of this Agreement shall be provided by the Town for distribution by the Union President.

SECTION 23.06 - PERSONAL AUTOMOBILE REIMBURSEMENT

Dispatchers who are obligated to use their personal automobile on Town business shall be reimbursed at the rate of twenty-four ($.24) cents per mile.

SECTION 23.07 - TUITION REIMBURSEMENT

The Town will pay twenty-five (25%) percent of the tuition for dispatchers taking job-related courses that directly relate to improving the skills of the dispatcher on the job. Dispatchers must receive prior approval from the Chief of Police for the taking of such job-related course and must further successfully complete the course with a grade of "B" or better.

SECTION 23.08 - RESIDENCY REQUIREMENT

After twenty (20) years of employment as a public safety dispatcher with the Town, a dispatcher may reside within the County of Erie, State of New York.

SECTION 23.09 - REPLACEMENT

The Town reserves the right to replace absent bargaining unit employees with non-bargaining unit employees until October 1, 1990.

SECTION 23.10 - EFFECTIVENESS OF THIS AGREEMENT

The provisions of this agreement shall be effective December 1, 1989, except as to those dispatchers hired into the position prior to that date and still working in such position on that date. In that event, the provisions of this agreement shall be effective on the individual's date of hire.

ARTICLE 24

The rules and regulations of the Cheektowaga Police Department, governing the conduct of public safety dispatchers, is hereby incorporated in this Agreement by reference. In situations where the provisions of such rules and regulations may conflict with the provisions of this Agreement, the provisions hereof shall control.

ARTICLE 25

SAVINGS CLAUSE

Should any article, section or other portion thereof of

this Agreement be declared unlawful or unenforceable by any court or competent jurisdiction, such decision of the court shall apply only to the specific article, section or portion there of directly specified in the decision.

ARTICLE 26

TERMINATION AND MODIFICATION

This Agreement shall become effective on the first day of December 1, 1989, as hereinbefore set forth and shall continue in full force and effect until December 31, 1991 and from year to year thereafter, unless otherwise modified or amended.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed each by its authorized officials.

TOWN OF CHEEKTOWAGA, NEW YORK

BY: _____

TOWN OF CHEEKTOWAGA PUBLIC SAFETY DISPATCHERS ASSOCIATION

BY: _____

DATE EXECUTED:

APPENDIX "A"

PUBLIC SAFETY DISPATCHERS
WAGE SCHEDULE

	STARTING	AFTER 3 MONTHS	AFTER 1 YEAR	AFTER 2 YEARS
1989	18,000.00 (8.62)	20,000.00 (9.58)	21,827.00 (10.45)	23,894.00 (11.44)
1990	19,209.60 (9.20)	21,255.94 (10.18)	23,322.96 (11.17)	25,494.48 (12.21)
1991	20,190.96 (9.67)	22,216.32 (10.64)	24,408.72 (11.69)	26,768.16 (12.82)

Item No. 8b Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, the Town has previously entered in an Agreement between it and the Chief of Police and Assistant Chief of Police covering the terms and conditions of employment for the year 1990, AND

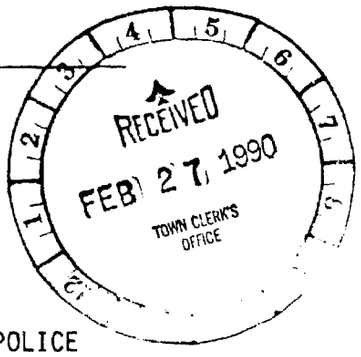
WHEREAS, as a result of retirement and promotions, there is a change in the personnel occupying said positions, AND

WHEREAS, the newly-appointed Chief of Police and Assistant Chief of Police have met with the Town and have agreed to Certain changes to the Agreement heretofore entered into, said changes being incorporated on the Addendum to the Agreement attached hereto, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to enter into and to execute the attached Addendum to the Agreement between the Town and the Chief of Police and Assistant Chief of Police for the year 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGES FOR ADDENDUM



ADDENDUM TO AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

This addendum and modification, entered into the 8TH day of FEBRUARY, 1990 by and between the Town of Cheektowaga, hereinafter referred to as the "Town", and the Chief of Police and the Assistant Chief of Police, hereinafter referred to as the "Chief".

It is hereby agreed to, by and between the parties, that the Agreement between the Town and the Chief, heretofore entered into by the parties on the 19th day of January, 1990, said Agreement setting forth the terms and conditions of employment for the positions of Chief of Police and Assistant Chief of Police for the calendar year 1990, be and hereby amended and modified as follows:

(a.) Paragraph 3 of said Agreement is hereby amended to read:

> The Chief of Police shall receive, as salary for the year 1990, the sum of $54,099.66, on a yearly basis.

(b.) Paragraph 5 of said Agreement is hereby amended to read:

> That upon each person's anniversary date of hire, the Chief of Police and Assistant Chief of Police shall receive, as a longevity payment, the following:
>
> Chief.....$1,375.00
> Assistant Chief.....$1,375.00

All of the other terms and conditions contained in the Agreement dated the 19th day of January, 1990 shall remain in full force and effect for the remainder of calendar year 1990.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals this 8th day of February, 1990.

TOWN OF CHEEKTOWAGA

CHIEF OF POLICE

ASSISTANT CHIEF OF POLICE

Dated:

Item No. 8c Motion by Councilman Gabryszak Seconded by Councilman Kulyk

WHEREAS, the Town of Cheektowaga has committed itself to the construction of an 18-hole golf course in the northeast section of Town in the vicinity of Rehm Road, and

WHEREAS, the Town has commenced negotiations with Bella Vista Group, Inc. for the purchase of 42.72 acres for the golf course, and

WHEREAS, a contract for the purchase of such property for $192,240.0 has been drafted and the terms of same are contained in the attached contract, and

WHEREAS, this Board feels that the terms of such Contract are fair and reasonable, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Contract, and BE IT FURTHER

RESOLVED that moneys for such purchase, $192,240.00, and adjustments for property taxes shall be appropriated from the Golf Course Capital Project Account No. 05-7140-8817-1100.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGES FOR CONTRACT

CONTRACT

This Contract made this 8th day of February, 1990, by between the TOWN OF CHEEKTOWAGA, Erie County, New York, having its municipal offices located at Union and Broadway, Cheektowaga, New York, (hereinafter "TOWN") and BELLA VISTA GROUP, INC. a domestic corporation having offices for the conducting of business at 6495 Transit Road, Bowmansville, New York (hereinafter "BVG").

RECITALS

WHEREAS, BVG is the owner or contractual vendee of certain premises, located in Cheektowaga, New York, being more particularly described in Exhibit 1 attached hereto and made a part hereof, hereinafter set forth as "BVG Parcel I" ,and

WHEREAS, BVG is a contractual vendee of certain premises presently owned by Consolidated Rail Corporation, "ConRail", a portion of said parcel being more particularly described in Exhibit 2, which is attached hereto and made a part hereof, hereinafter set forth as "BVG Parcel II",

WHEREAS, the TOWN intends to develop a golf course on property owned by BVG and others, hereinafter "Golf Course Parcel" as set forth on Exhibit A, attached hereto and made a part hereof said Golf Course Parcel includes, but is not to be limited to BVG Parcels I and II, and

WHEREAS, it is the intention of the TOWN and BVG to enter into an Agreement regarding the conveyance of the aforementioned parcels by BVG to the TOWN in lieu of the TOWN having to condemn said parcels, all as more particularly set forth hereinafter,

WHEREAS, upon the conveyance of BVG Parcel(s) I and II to the Town, BVG will still retain ownership to parcels of land, one parcel being within the Golf Course Parcel, hereinafter "BVG Exception I", and another parcel being adjacent to the Golf Course Parcel, hereinafter "BVG Exception II", both of said parcels also being referred to as the "BVG Exceptions" said exception parcels being described in Exhibit 3 and shown on Exhibit A.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, it is hereby agreed as follows:

1. BVG shall sell its parcels of land, being BVG Parcels I and II to the TOWN and the TOWN shall purchase same from BVG pursuant to the terms and conditions contained in this Contract.

2. Purchase Price.

a) The TOWN agrees to pay BVG the sum of One Hundred and Twenty Four Thousand One Hundred Ten Dollars ($124,110.00) for the BVG Parcel I. Payment to be made upon satisfactory

completion of the other provisions in this contract, and upon the delivery of the deed, as more particularly described hereinafter.

b) The TOWN agrees to pay BVG the sum of Sixty Eight Thousand One Hundred Thirty Dollars ($68,130.00) for BVG Parcel II, provided BVG acquires title to said parcel from ConRail. Payment to be made upon satisfactory completion of the other provisions in this contract, and upon the delivery of the deed, as more particularly described hereinafter. It is further understood that the closing on BVG Parcel II may be delayed beyond the closing date as set forth herein, if at the time of closing BVG has not acquired the title to said property to BVG Parcel II from ConRail, and in such case, the closing on BVG Parcel II will occur as soon as BVG acquires the title to BVG Parcel II, or as soon thereafter as is reasonably possible.

c) The prices in subsection a and b is to be adjusted upon receipt of survey as set forth in Paragraph 3 hereof, which survey will reflect the actual acreage and the price will then be adjusted using a per acre price of $4,500.00.

3. Survey. TOWN will retain Nussbaumer & Clarke to do a survey of the Golf Course Parcel, which survey will cover, the Golf Course Parcel and land to be retained by BVG, (BVG Exception I.)

4. Search. BVG will order from an abstract company, a search. Said search shall be a fully guaranteed tax and title search, which covers the premises and more (premises being the parcel BVG will be conveying to the TOWN pursuant to this Contract), the last continuation of which shall be dated after this Contract, and where not covered by the search, a local tax certificate. In lieu of a search, BVG may give a certificate of title insurance covering their respective parcel or parcels. Said search(s) or title certificate shall be delivered to the TOWN within thirty (30) days after the date the TOWN has accepted and ratified the terms of this Contract.

5. Contingencies, Objections to Title and Title Insurance. If the TOWN finds valid objections to BVG's title, which makes their respective parcel's title unmarketable, then the TOWN shall either:

a) Accept the title as presented;

b) Advise BVG of the TOWN's objections, and allow BVG the latter of ten (10) days after receiving notice of the objections, or the closing date herein, in which to cure the objection, and then accept title once cured.

c) Provided, however, that if BVG cannot cure the objection, but a fee title insurance policy covering the objections can be obtained, then the TOWN must accept same, and BVG shall pay the premium for said title insurance. If the TOWN

elects not to accept such title BVG can convey, and BVG cannot with due diligence cure the defect, nor obtain fee title insurance covering the objection, then this Contract shall terminate, and neither party shall have any further rights against the other.

d) This sale is contingent upon environmental evaluation of the BVG Parcels I and II by a concern acceptable to the TOWN, and the TOWN may decline to conclude the purchase if it discovers that BVG Parcels I and/or II have ever been used for the treatment, storage, handling, generation or disposal of any "hazardous waste", as that term is defined under federal law. The TOWN will use due diligence to have said testing completed, prior to the closing date as set forth herein. Further, if hazardous wastes are found as a result of said testing, then BVG may remove said hazardous waste in a manner acceptable to the New York State Department of Environmental Conservation, and in such case, this contract shall not be terminated

6. Costs. BVG shall pay for its tax and title search to date of closing and transfer tax stamps in relation to their respective transfers. The TOWN shall pay for recording the deed and the fee for the survey.

7. Deed. At closing, BVG shall deliver to the TOWN a bargain and sale deed with covenant against Grantor's acts, with lien covenant giving good and marketable title in fee simple, free and clear of all encumbrances, except as stated in this Contract. In addition to the aforementioned deed, BVG shall also convey to the TOWN by quit claim deed, any rights and/or interests it has to property situate in the Town of Cheektowaga and the Village of Depew, County of Erie, State of New York, and being part of Lots 70 and 74, Township 11, Range 7 of the Holland Company's survey, except for BVG Exceptions I, II and any portion of the ConRail Right-of-way, which it subsequently acquires, other than BVG Parcel II.

8. Adjustments at Closing. There shall be pro rated and adjusted as of 12 midnight prior to delivery of the deed, nondelinquent taxes and assessments appearing on current tax bills computed on a fiscal year basis. The TOWN will accept title to the various parcels subject to, and will pay, unless exempted therefrom, all assessments and installments of assessments for special or local approvals not yet due and payable as of the closing date, provided they appear on the current tax rolls.

9. Possession and Access to Property. Provided the TOWN first obtains the insurance coverage mentioned below, and thereafter keeps the same in full force and effect, and otherwise complies with the terms hereof, the TOWN and its duly authorized agents and contractors, shall have the right, during the period

of this Contract, to enter in and upon the various parcels to be conveyed by this Contract, for the purpose of inspecting and examining the same and conducting various tests thereof to determine the suitability of the various parcels for the TOWN's plan development of the Golf Course.

The TOWN further agrees that in connection with any use of the parcels covered by this Contract, pursuant to the terms of this Contract, reasonable safeguards shall be employed the creation of any potentially dangerous condition thereon, that any such inspection, examinations, tests and operations shall be carried out and concluded promptly, and the property shall be promptly restored to its existing conditions.

The TOWN agrees to indemnify and hold BVG harmless from and against any loss, damage and liability or expenses, including the payment of reasonable attorneys' fees incurred by BVG in its defense of any claims against BVG, which the TOWN agrees to indemnify a legal representation in relation to any such claims suffered or incurred by BVG and arising from and out of, or in way related to, any use of the parcels covered by this Contract pursuant to its terms by the TOWN of its agents. The provisions of this subparagraph shall survive any termination of this Contract or the closing.

10. Closing. This Contract shall be closed at the Erie County Clerk's Office on the 15th day of February, 1990, or at such other time and place as BVG, the TOWN mutually agree upon. Time is not of the essence as to the closing date; either party may, after the above date, upon reasonable notice, declare time to be of the essence and set such a closing date.

11. Notices. Any notices given or pursuant to this Contract shall be in writing and delivered by prepaid certified mail, return receipt requested, addressed as follows:

If to TOWN:
Town of Cheektowaga
Broadway and Union Road
Cheektowaga, New York 14225
Attn: Town Attorney

If to BVG:
Bella Vista Group, Inc.
6495 Transit Road
Bowmansville, New York 14026
Attn: Richard Earne

or to such other addresses as any of the parties hereto may require by written notice to the other, as aforesaid.

12. Restrictions Against Assignment. The Town may not assign this Contract nor any of its rights or interest hereunder, without the prior written consent of BVG .

13. Retained Rights and Reciprocal Easements. The TOWN acknowledges that BVG, will have difficulty in developing the BVG Exceptions as the result of the TOWN purchasing the parcels of land to be conveyed pursuant to the terms of this Contract. The TOWN also acknowledges that it would be to the mutual best interests of the TOWN and BVG to enter into a Reciprocal Easement Agreement, which would allow the TOWN to have a defined right-of-way over BVG Exception II for the movement of emergency vehicles, said Reciprocal Easement Agreement would also allow BVG utility and right-of-way easements over property either presently owned, or to be acquired by the TOWN to benefit the BVG Exceptions I and II, hereinafter the "REA". The parties hereto, therefore, agree as part of the consideration for the conveyances of land covered by this Contract, to enter into the following REA, cross easements, licenses and rights-of-way.

The terms of the REA (to include easements, licenses and rights-of-way) will be mutually agreed upon by the parties hereto. Further, the REA is subject to the TOWN acquiring the Reciprocal Easement Parcels, as hereinafter defined. REA will encumber portions of several parcels of land, the various parcels of land are collectively referred to hereinafter as the "Reciprocal Easement Parcels", or a particular Reciprocal Easement Parcel may be referred to as, Reciprocal Easement Parcel I, etc. All of the parcels of which the Reciprocal Easement Parcels are comprised are shown on Exhibit A. The REA, and/or the individual easements, rights-of-way and licenses set forth in this section 13 b) shall survive the closing. The REA, easements, rights-of-way and licenses will provide:

i) For BVG to have access to and from Lewin Drive, from and to BVG Exception II over Reciprocal Easement Parcel I, as described in Exhibit 4a, in relation to said right of access, upon the development of BVG Exception II, BVG will improve BVG Reciprocal Easement Parcel I in a manner sufficient to allow an emergency vehicle to be able to use said right-of-way;

ii) For BVG to be entitled to place any utilities underground that it requires in order to service BVG Exception II over Reciprocal Easement Parcel I or Reciprocal Easement Parcel III, as described in Exhibit 4b;

iii) For the TOWN to have a right-of-way over Reciprocal Easement Parcel II for the movement of emergency vehicles from and to the northern terminess of Lewin Drive, to and from the southerly terminess of Sonwil Drive, the location of Reciprocal Easement Parcel II to be determined upon the Cheektowaga Town Board approving BVG's development plan for BVG Exception Parcel II;

iv) For BVG to be entitled to bring public water and utilities underground, including but not limited to sanitary

sewer, from Sonwil Drive to BVG Exception I over Reciprocal Easement Parcel IV, as described in Exhibit 4c. However, the Town will have the right to restrict the time of installation of said utilities, so as not to interfere with the use of the Golf Course;

v) For BVG to have a right-of-way over Reciprocal Easement Parcel III to allow for ingress and egress to and from BVG Exception II from and to the southern terminess of Sonwil Drive, provided BVG and/or its successors and assigns agrees to improve said right-of-way portion according the normal Town specifications utilized for the construction of Town highways;

vi) The TOWN agrees that BVG, its successors and assigns, may in its development of BVG Exception I and/or II utilize drainage systems, which the TOWN plans to construct on the Golf Course Parcel as part of the Golf Course, said retention/detention system's primary purpose being to irrigate the Golf Course. The TOWN agrees that storm water discharge from BVG Exception I and/or II may flow into said storm water detention facilities upon future plan approval, providing said usage does not negatively effect the integrity of the drainage system. Notwithstanding, the TOWN will use its best efforts in the design and construction of said storm water detention facility, so that said system will have sufficient capacities to handle the storm water runoff needs of BVG Exception(s) I and II, as developed per approved plan. The cost of connecting into the TOWN drainage system shall be borne by BVG.

vii) For BVG to have a right-of-way over Reciprocal Easement Parcel V, as described in Exhibit 4d, to allow ingress and ingress to and from BVG Exception I_from and to the westerly terminess of Rehm Road, provided BVG agrees to improve said right-of-way portion according the normal Town specifications utilized for the construction of Town highways.

14. General Provisions.

a) **Modification.** None of the provisions of this Contract shall be waived or modified to any extent, except in a writing signed by the parties against who enforcement of such waiver or modification is sought, and no course of dealing or performance between the parties hereto, or usage of trade, shall be effective unless same is reduced to writing and assigned by the party against whom enforcement is sought.

b) **Successors-in-Interest.** Except as otherwise provided in this Contract, the provisions contained herein shall bind and inure to the benefit of the parties hereto, their respective successors-in-interest and assigns.

c) **Survival of Representation.** The Representations, warranties, covenants and agreements of the parties hereto contained in this Contract or in any writing delivered pursuant

hereto, shall survive the consummation of the transactions contemplated hereby.

d) **Ambiguity of Contract.** This Contract shall be deemed to have been prepared jointly by the partes hereto. If there be any uncertainty or ambiguity with respect to any of its provisions, the same shall be interpreted solely according to the rules of interpretation for arms length agreement.

IN WITNESS WHEREOF, the respective parties hereto have executed this Contract as of the date set forth next to their respective signatures.

~~Town of~~ Cheektowaga

By: _____
Supervisor

Bella Vista Group, Inc.

By: _____

STATE OF NEW YORK)
) ss.
COUNTY OF ERIE)

On this 12th day of February, 1990, before me appeared the above named Joseph A. Cipolla, to me personally known, who, being by me duly sworn, did say that (s)he resides at Depew, NY, that (s)he is President of Bella Vista Group, Inc., and (s)he acknowledged that (s)he executed this instrument at the direction of the Board of Directors.

_____
NOTARY PUBLIC
DEBORAH K. ISMERT
Notary Public, State of New York
Qualified in Erie County
My Commission Expires June 16, 19 90

STATE OF NEW YORK)
) ss.
COUNTY OF ERIE)

On this 8th day of February, 1990, before me personally came Frank E Swintek, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, the corporation described in and who executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board; and that he signed his name thereto by like order.

_____
NOTARY PUBLIC

VALERIE A. MEYERS
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES APRIL 11 19 90

Exhibit 1
Metes and Bounds Description
BVG Parcel I

All of that certain piece of land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 74, and Lot No.70 Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

Beginning at the intersection of the east line of Lot No. 74, Township 11, Range 7 with the north line of the Village of Depew and the north line of Map Cover 2189 as filed in the Erie County Clerk's Office; said point being the southeast corner of lands Deeded to Bella Vista Group, Inc., by Deed recorded in Liber 9868, at page 167 (Parcel B); thence westerly along the north lines of map covers 2189 and 2172, 656.04 feet to the west line of lands shown on map filed in the Erie county Clerk's Office under Cover No. 547, as amended; said point being the southwest corner of aforesaid Liber 9868, page 167 (Parcel B); thence north along the west line of lands as shown on said Map Cover No. 547, 1520.97 feet deeded 1516.82 feet measured to the south line of lands conveyed to Marvin M. Green et al by Deed recorded in Liber 8188 of Deeds at page 26; said point also being the southwest corner of Lands Deeded to Anastasi Trucking, Inc. by Deed recorded in the Erie County Clerk's Office under Liber 10008 at page 541; thence continuing north on the west line of Map Cover No. 547, 712.20 feet, to a point in the north line of Lot 74, said point being the northwest corner of lands Deeded to Anastasi Trucking, Inc., be aforesaid Liber 10008, Page 541; thence east along said north line of Lot No. 74, 655.66 feet to the northeast corner of said Lot No. 74; thence southerly along the easterly line of said Lot No. 74, 593.79 feet to its intersection with the west line of the Lehigh Valley Railroad; thence running southeasterly along the said west line of the Lehigh Valley Railroad, 1673.95 feet Deeded, 1681.71 feet measured, to its intersection with the northerly line of lands shown on Map Cover No. 2189, said point being the southeast corner of aforesaid Liber 9868, Page 167 (Parcel C); thence east along the north lines of land shown on Map Cover No. 2189, 331.70 feet to the principle point of beginning, excepting therefrom the lands conveyed to the Depew and Tonawanda Railroad Company by Deed(s) recorded in Liber 791 at page 490 and page 492, respectfully, said Deeds being recorded on July 28, 1896.

Also excepting therefrom the following:

Commencing at he northeast corner of Lot 74; thence southerly along the east line of Lot 74, 30.48 feet; thence S 79°33'02"W, 118.37 feet to the point of beginning; thence S 01°10'54"E, 1163.29 feet; thence S 08°53'44"W, 131.70 feet; thence S 60°10'07"W, 230.12 feet; thence N 62°32'12"W, 230.12 feet; thence N 12°23'13"W, 175.94 feet; thence N 26°50'31"E, 215.26 feet; thence N 01°10'54"W, 900.00 feet; thence N 88°49'06"E, 226.12 feet to a point on a curve having a radius of 50.0 feet; thence along said curve to the right 29.14 feet to the point of tangency; thence N 79°33'02"W, 109.40 feet to the point of beginning, being 11.52 acres, more or less.

Net Area of Parcel to be conveyed is 27.58 acres more or less.

NO. 4

Exhibit 2
Metes and Bounds Description of BVG Parcel II
(Parcel Q per Nussbaumer Survey)

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, and in part in the Village of Depew, County of Erie and State of New York, being part of Lot 70, 74 and 77, Township 11, Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point in the centerline of French Road distant 563.64 feet easterly from the west line of Lot 70; thence northerly at an interior angle of 100° 59' and in part along the east line of lands conveyed to Gunnville Building Corporation by instrument recorded in Liber 6987 of Deeds at page 39 a distance of 3470.58 feet to a point in the north line of Lot 74; thence westerly at an interior angle of 259° 54' and along the north line of Lot 74 a distance of 67.91 feet to a point; thence northerly at an interior angle of 100° 06' a distance of 1676.0 feet to a point of curvature; thence northwesterly along a curve to the left having a radius of 2747.9 feet an arc distance of 865.7 feet to a point in the south line of lands of the West Shore Railroad; thence northeasterly along the south line of the West Shore Railroad distance of 167.0 feet to a point; thence southeasterly along a curve to the right having a radius of 2914.9 feet to a point of tangency; thence southerly parallel with the west line of lands described herein and distant 167 feet easterly therefrom, a distance of 1705.8 feet to a point in the north line of Lot 74 distant 17.7 feet easterly from the northeast corner of said lot; thence continuing southerly parallel with the west line of lands described herein and distant 100 feet easterly therefrom and in part along the west line of lands conveyed to Marvin M. Green, Irving R. Green and Sam Ferris by instrument recorded in Liber 6995 of Deeds at page 196 a distance of 3471.65 feet to the centerline of French Road; thence westerly along the centerline of French Road a distance of 101.88 feet to the point or place of beginning.

Containing 17.83 acres more or less.

EXCEPTING ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga and the Village of Depew, County of Erie and State of New York, being part of Lot 70, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the centerline of French Road distant 563.64 feet easterly from the west line of Lot 70; thence northerly at an interior angle of 100° 59' and in part along the east line of lands conveyed to Gunnville Building Corporation by instrument recorded in Liber 6987 of Deeds at page 39, a distance of 1189.83 feet to a point, said point being the northeast corner of French Meadows North, Part II subdivision, Map Cover number 2189; thence easterly along the easterly extension of the North

EXHIBIT 3

BVG **EXCEPTION II**

ALL THAT CERTAIN PIECE OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 11, and Range 7 of the Holland Land Company's survey, bounded and described as follows:

COMMENCING at a point in the southerly line of said Lot 74, where the same is intersected by the easterly line of that parcel of land described and designated Parcel No. 3 in Deed from New York State Realty and Terminal Company; Predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the Office of the Clark of said County of Erie in Liber 1970 of Deeds, at page 156; and running thence northerly, along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, said line also being the westerly line of lands described in a Deed to Lawrence Reger et al recorded in the Erie County Clerk's office in Liber 7438 of Deeds at page 233, 1184.47 feet to the north west corner of said land conveyed to Reger pursuant to the aforesaid Deed to the principal point of beginning thence 1370.43 feet along the east line of Parcel 3 in the aforesaid Deed to New york Central Railroad Company to a jog or offset therein; thence easterlyand at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid 844.82 feet to the northeasterly corner thereof; thence easterly along the northerly line of Lot 74, 344.16 feet, more or less, to the easterly line of that parcel of land described in Deed from Catharine Gangloff (also known as Katharina Gangloff) to New York State Realty and Terminal Company, dated July 1, 1925, recorded in the Office of the Clark of said County of Erie in Liber 1691 of Deeds, at page 244; said line also being the west line of lands conveyed by deed from Ross Wagner to Conthru, Inc. datad December 15, 1986 recorded in the Office of the Erie County Clark in Liber 9688 of Deeds at page 474 on December 31, 1986; thence southerly along the easterly line of that parcel of land described in Deed from Catharine Gangloff to New York State Realty and Terminal Company dated and recorded as aforesaid, 2213.67 feet to a point in the north line of the Deed to Lawrence Reger et al recorded as aforesaid, thence westerly along the aforesaid northerly line of Reger's land 159.42 to the principal point and place of beginning.

ALL that certain plot, piece or parcel of land, ~~with the buildings and improvements thereon erected, situ-~~ ate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 74, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of the Town of Cheektowaga with the east line of lands conveyed to Edward Mader, Jr. by dead recorded in Erie County Clerk's Office in Liber 6965 of Deeds at page 349; thence northerly along the east line of said lands 2207.88 feet to the north line of said Lot Number 74; thence easterly along the north line of said lot, 196.68 feet to the east line of lands conveyed to Louis Maigret by dead recorded in Erie County Clerk's Office in Liber 93 of Deeds at page 472 thence southerly along the east line of said lands 2210.71 feet to the south line of the Town of Cheektowaga; thence westerly along the south line of said Town 196.68 feet to the point or place of beginning, containing 9.974 acres more or less.

EXHIBIT 3

LEGAL DESCRIPTION
BVG EXCEPTION I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and being more particularly described as follows:

Commencing at the northeast corner of Lot 74; thence southerly along the east line of Lot 74, 30.48 feet; thence S79°33'02"W, 118.37 feet to the point of beginning; thence S01°10'54"E, 1163.29 feet; thence S08°53'44"W, 131.70 feet; thence S60°10'07"W, 230.12 feet; thence N62°32'12"W, 230.12 feet; thence N12°23'13"W, 175.94 feet; thence N26°50'31"E, 215.26 feet; thence N01°10'54"W, 900.00 feet; thence N88°49'06"E, 226.12 feet to a point on a curve having a radius of 50.0 feet; thence along said curve to the right 29.14 feet to a point of tangency; thence N79°33'02"W, 109.40 feet to the point of beginning, being 11.52 acres, more or less.

EXHIBIT 4b
RECIPROCAL EASEMENT PARCEL III

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the point of intersection of the east line of Sonwil Drive and the north line of Lot 74, said point being 1132± ft. west of the north east corner of Lot 74; thence south westerly along a curve to the right having a radius of 250.00 ft. an arc length of 257.01 ft. to a point on the west lien of lands conveyed to Louis Maigret by liber 93 of Deeds at Page 472; thence N 00 degrees 18 minutes 54 seconds W along the west line of Louis Maigret, 75.80 ft. to a point; thence northeasterly along a curve to the left having a radius of 190.00 ft., an arc length of 154.87 ft. t a point on the north line of Lot 74; thence N 38 degrees 49 minutes 06 seconds E along the north line of Lot 74, 60.00 ft. to the POINT OF BEGINNING.

Containing 0.28 more or less acres.

EXHIBIT 4c

RECIPROCAL EASEMENT PARCEL IV

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the northwest corner of Lot 74; thence S 88 degrees 49 minutes 06 seconds W along the north line of Lot 74, 1247.47 to the north west corner of lands conveyed to Louis Maigret by Liber 93 of Deeds at Page 472, thence S 00 degrees 18 minutes 54 seconds E along the west line of Louis Maigret, 60.01 ft. to a point; thence N 88 degrees 49 minutes 6 seconds E, 1247.47 ft. to a point on the east line of Lot 74; thence N 00 degrees 19 minutes 00 seconds W, along the east line of Lot 74, 60.01 ft. to the POINT OF BEGINNING.

Containing 1.72 more or less acres.

EXHIBIT 4d
RECIPROCAL EASEMENT PARCEL V

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lots 74 and 77, Township 11, Range 7 of the Holland Land Company's survey and being more particularly described as follows:

Beginning at the northeast corner of Lot 74, said point being in the centerline of Rehm Road; thence southerly along the east line of Lot 74, 30.48 feet; thence southwesterly forming an exterior angle of 79°52'02", 227.85 feet to a point of curvature; thence continuing southwesterly along a curve to the left having a radius of 50.0 feet, 29.14 feet to a point on said curve; thence westerly parallel to the north line of Lot 74, 69.79 feet to a point on a curve having a radius of 110.0 feet; thence northeasterly along said curve to the right 117.50 feet to a point of tangency; thence northeasterly 237.97 feet to a point on the east line of Lot 77; thence southerly along the east line of Lot 77, 30.55 feet to the point of beginning, being 0.42 acre, more or less.

EXHIBIT 4a

RECIPROCAL EASEMENT PARCEL I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 74, Township 11, Range 7 of the Holland Land Company's survey and more particularly described as follows:

BEGINNING at the point of intersection of the east line of Lewan Drive (50' wide) and the south line of the Town of Cheektowaga, thence N 00 degrees 10 minutes 03 seconds W, 60.00 ft. to a point; thence S 89 degrees 49 minutes 57 seconds W, 747.65 ft. to a point on the west line of lands conveyed to Louis Maigret by Liber 93 of Deeds at Page 472; thence S 00 degrees 18 seconds 54 minutes W along the last mentioned line 60.00 ft. to a point on the south line of the Town of Cheektowaga; thence N 89 degrees 49 seconds 57 minutes E, along the south line of the Town of Cheektowaga, 747.40 ft. to the POINT OF BEGINNING.

Containing 1.03 more or less acres.

Item No. 8d Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, State grant moneys are available through the Local Government Records Management Improvement Fund for local governments for improvement of records management and archival administration, and

WHEREAS, the Town is in need of financial assistance to develop plans for storing and managing Town records, and

WHEREAS, the Town Clerk has recommended that the Town file an application with the State Local Government Records Bureau for a grant, NOW, THEREFORE, BE IT

RESOLVED that Robert J. Miller & Associates, the Town's grants consultant, be and hereby is authorized and directed to complete the necessary application, forms, etc. to enable the Town to apply for up to $50,000.00 under the Local Government Records Management Improvement Fund, AND BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute grant application forms and any other documents in connection with this grant application.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 8e Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Youth Bureau is desirous of seeking a grant by the New York State Office of Parks, Recreation and Historic Preservation to conduct the New York State Conservation Corps (NYSCC) Program for the summer of 1990, and

WHEREAS, a grant is being sought in the amount of $27,524.72 towards the total cost of the project, BE IT

RESOLVED that the Supervisor is authorized to sign the application and, if successful, the subsequent agreement between the Town of Cheektowaga and the New York State Office of Parks, Recreation and Historic Preservation.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Blachowski Seconded by Councilman Kulyk

WHEREAS, by resolution dated December 18, 1989, the Town Board of the Town of Cheektowaga requested the Town's representatives in the State Legislature to draft and file a bill to authorize the creation of a Town Cheektowaga Industrial Development Agency ("Cheektowaga IDA"), and

WHEREAS, the Cheektowaga Economic Development Corporation recommended the creation of a Cheektowaga IDA as an additional catalyst to create jobs and stimulate business growth in the Town, and

WHEREAS, a joint bill has been proposed in the State Assembly (A.9030) and State Senate (S.6687) by Assemblyman Paul A. Tokasz and Senator Dale M. Volker creating a new Section 927-g of the General Municipal Law to authorize the establishment of the Town of Cheektowaga industrial development agency, and

WHEREAS, this Town Board, pursuant to Section 40 of the Municipal Home Rule Law of the State of New York, may request the New York State Legislature to enact a special law relating to the property or affairs of the Town, NOW, THEREFORE, BE IT

Item No. 9 continued

RESOLVED that this Town Board hereby strongly requests the New York State Assembly and Senate to enact bills A.9030 and S.6687, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized to execute the Home Rule Request forms for the aforementioned Assembly and Senate bills, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward executed Home Rule Request forms to the State Assembly and the State Senate and copies of same to Assemblyman Tokasz and Senator Volker.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Gabryszak Seconded by Councilman Kulyk

WHEREAS, permit fees for picnic shelters in Town Park are currently established at #12.00, and

WHEREAS, such fees have not been increased for the past few years, and

WHEREAS, the Town's expenses involved in maintaining the picnic shelters and Town parks have been steadily increasing, and

WHEREAS, the Town's Parks and Recreation Committee has recommended that such picnic shelter permit fees be increased to $15.00, NOW, THEREFORE, BE IT

RESOLVED that permit fees for picnic shelters in Town parks be and hereby are established at $15.00 per shelter, effective immediately.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Kulyk Seconded by Councilman Gabryszak

WHEREAS, pursuant to the Environmental Impact 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 Impact Review Ordinance of the Town of Cheektowaga, is designated the lead agency in most instances, and

WHEREAS, since the Town Board is the lead agency, it must affirm or reject the recommendations submitted to it by the Advisory Committee, and

WHEREAS, the Advisory Committee, at its meeting held on January 25, 1990, rendered the determinations shown on the attached memo dated January 30, 1990, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee for the items listed below, NOW, THEREFORE, BE IT

Item No. 11 continued

RESOLVED that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the January 30, 1990 memo attached hereto:

Item I 999 Aero Drive

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE

OFFICE OF
BUILDING & PLUMBING INSPECTIONS

RONALD MARTEN
Supervising Bldg. and Plbg. Inspector

Town Hall, Broadway and Union Road
Cheektowaga, New York 14227
686-3470

Growing In A New Direction
TOWN OF CHEEKTOWAGA
Erie County, New York

M E M O

TO: Supervisor Frank Swiatek
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

RECEIVED
JAN 31 1990
TOWN ATTORNEY

FROM: Thomas Adamczak
Building Inspector

DATE: January 30, 1990

The following is a summary of the proposals which have been reviewed by the Town Environmental Quality Review Advisory Committee at a meeting held on January 25, 1990, in the Town Hall Council Chambers.

ITEM I 999 Aero Drive - Proposed Office/Warehouse For Leone Construction

Applicant: John Leone

Determination: Non-Significant With Conditions. The applicant proposes to construct this facility for his construction business. The plan has been reviewed by the Planning Board and Engineering Department.

The applicant must extend the water line along Aero Drive and install a hydrant at the property. The sanitary sewer may also be extended, the applicant will contact other property owners affected as to feasibility.

The New York State DEC has indicated they have no information on this property, but due to its proximity to the Pfohl dump the site must be "watched" for evidence of dumping or chemical migration.

Conditions: Obtain development permit from the Town Engineer; examine the possibility of extending the Aero Drive sewer; follow New York State DEC guidlines in their letter of December 21, 1989.

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

WHEREAS, Transit Road is a major State highway which passes through the Town of Cheektowaga, as well as several other municipalities, and

WHEREAS, recent and proposed development of residential and commercial projects in Cheektowaga and Lancaster have been proposed, and

WHEREAS, at present, during peak hours, motorists are experiencing serious delays along Transit Road at Losson Road, French Road, Clinton Street and Seneca Street, and

WHEREAS, with the expected development of other properties in the area, traffic congestion along Transit Road will be exacerbated, and

WHEREAS, the Cheektowaga Traffic Safety Commission has expressed its concern that additional growth in the Cheektowaga, West Seneca and Elma areas will cause further deterioration of the level of service and increase accident potential along Transit Road unless the State Department of Transportation ("DOT") takes some action to upgrade/widen Transit Road, and

WHEREAS, presently, the DOT has no plans to upgrade Transit Road, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the State Legislature and and the DOT to initiate planning and design studies along Transit Road between Como Park Boulevard and NY 187 and to upgrade such State highway to a minimum of five (5) lanes, and BE IT FURTHER

RESOLVED that the Town of Lancaster be and hereby is requested to join with the Town of Cheektowaga to initiate a plan for controlled development and access along the Transit Road corridor so as to limit spot development and chaotic conditions of access control, signalization, parking, etc., and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to DOT Regional Director Robert Russell, Senator Dale Volker, Senator William Stachowski, Assemblyman Vincent Graber and Assemblyman Paul Tokasz.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Swiatek Seconded by Councilman Kulyk

WHEREAS, the Western New York Chapter of the March of Dimes Birth Defects Foundation is sponsoring its annual walk American walk-a-thon which benefits the March of Dimes work in seeking both the causes of and cures for birth defects, and

WHEREAS, the said walk-a-thon is schedules for Sunday, April 29, 1990 and will involve the use of certain designated highways within various municipalities, including the Town of Cheektowaga as is shown on the sketch attached hereto, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally authorizes the use of those highways noted on the attached sketch which are within the boundaries of the Town of Cheektowaga by the Western New York Chapter of the March of Dimes Birth Defects Foundation on Sunday, April 29, 1990 for its scheduled walk-a-thon, and BE IT FURTHER

RESOLVED that the Chief of Police insure compliance with Section 1660 (a) (6) of the Vehicle and Traffic Law; and he is further authorized to make arrangements for any and all traffic safety and/or escort services.

Item No. 13 continued

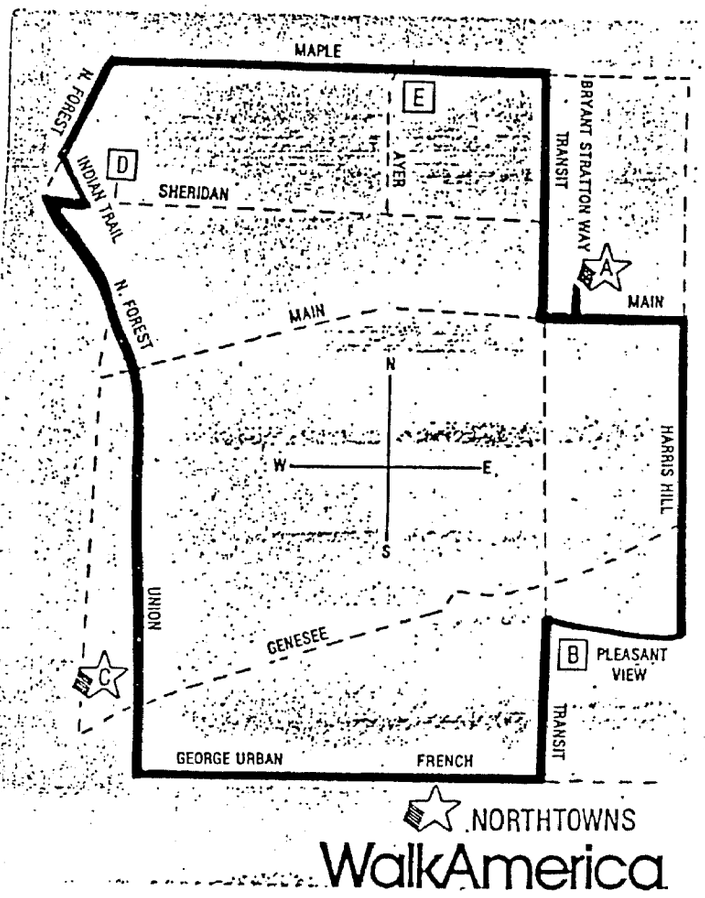
Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE FOR SKETCH

* *

Due to arrival of Bishop Edward Grosz at 8:15 p.m., Supervisor Swiatek recessed the meeting with an unanimous second and introduced Bishop Grosz. The meeting resumed about 8:45 p.m.

* *


MAPLE
N. FOREST
E
BRYANT STRATTON WAY
TRANSIT
INDIAN TRAIL
D
SHERIDAN
AYER
A
MAIN
N. FOREST
MAIN
N
W
E
S
HARRIS HILL
UNION
GENESEE
B
PLEASANT VIEW
C
TRANSIT
GEORGE URBAN
FRENCH
NORTHTOWNS
WalkAmerica

Item No. 14 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga is proud to be associated through membership and philosophy with the New York State Recreation and Parks Society, Inc. in the promotion and establishment of Parks and Recreational facilities in the encouragement as well as the shaping of valid recreation and park policies; and

WHEREAS, the New York State Recreation and Parks Society, Inc. has for fifty years worked to establish recognition of the importance to the professional world of parks and recreation, as well as the interchange and networking of park and recreation objectives and concerns; and

WHEREAS, the New York State Recreation and Parks Society, Inc. has during its fifty years transcended into the increasingly important areas of therapeutic recreation historic preservation; cultural awareness; boating laws, land and water conservation; maintenance programs; marketing research; communication skills; risk management; recreational research; and many additional relevant and significant roles; and

WHEREAS, the New York State Recreation and Parks Society, Inc. is celebrating its GOLDEN ANNIVERSARY in the summer of 1990; NOW, THEREFORE, BE IT

RESOLVED that summer, 1990, be declared a time of special recognition to the importance of the New York State Recreation and Parks Society, Inc.; and BE IT FURTHER

RESOLVED that the said 50th Anniversary of the New York State Recreation and Parks Society, Inc be marked as the Town of Cheektowaga's continued commitment to the expressed objectives and intentions of said Society; that the Town of Cheektowaga extends its heartfelt appreciation to the Society for its ongoing dedication to the pursuit of excellence in the field of recreation and parks and that the entire Town of Cheektowaga joins its Departments of Facilities, Recreation, Youth and Senior Services in the acknowledgement and celebration of the GOLDEN ANNIVERSARY of the New York State Recreation and Park Society, Inc. May it thrive and succeed perpetually.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, there is need in the Police Department for seven (7) police sedans, and

WHEREAS, Mernan Chevrolet, an auto agency which is on the State Bid Contract, contract number being 00214501, is offering a police package sedan vehicle for $13,463.00 per vehicle, the total for seven being $94,241.00, NOW, THEREFORE, BE IT

RESOLVED that this Town Board authorizes the purchase of seven police package sedan vehicles from Mernan Chevrolet, 2751 Bailey Avenue, Buffalo, New York 14215 at a total cost of $94,241.00, and BE IT FURTHER

RESOLVED that such moneys shall be appropriated out of the Police Department budget, line item 01-3120-0002-2303.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, on August 4, 1986, several properties along Losson Road were rezoned to residential zoning classifications, and

WHEREAS, on May 2, 1988 the Hon. Thomas F. McGowan, Justice of the Supreme Court, signed an order in a special proceeding entitled "Los-Green, Inc., vs. Town of Cheektowaga, et al." restoring Los-Green, Inc.'s property to the CM General Commercial District zoning classification which existed prior to the aforesaid rezoning, and

WHEREAS, the Appellate Division, Fourth Judicial Department has recently concluded that "the record contains no evidence that the Town Board considered a specific comprehensive plan in rezoning the subject parcel, and the Supreme Court correctly concluded that the determination was arbitrary and capricious," and

WHEREAS, this matter is of sufficient importance to warrant an application for permission to appeal to the Court of Appeals,

NOW, THEREFORE, BE IT RESOLVED that Peter M. Kooshoian, attorney-at-law, be and he hereby is retained to process the appropriate application for permission to appeal the aforesaid lawsuit to the Court of Appeals, and BE IT FURTHER

RESOLVED that legal fees be paid to Mr. Kooshoian in the amount of $2,000.00, along with all reasonable and necessary costs and disbursement of such appeal; and such fee, costs and disbursements shall be paid from line item number 01-1420-0004-4501.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Seconded by Councilman Rogowski

WHEREAS, the firm of Scaffidi & Moore, Architects has submitted a report of the Reinstein Memorial Library's laminated wood beams, columns, structural integrity and roofing integrity AND

WHEREAS, said report recommends methods of remedial repairs to the laminated beams, concrete foundations, refininshing of exterior wood surfaces, sealing, caulking, pointing and roof replacement, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby retains the firm of Scaffidi & Moore Architects, 4535 Bailey Avenue, Buffalo, New York 14226 to prepare plans and specifications for the Reinstein Memorial Library renovations at a fee not to exceed $13,750.00 and BE IT FURTHER

RESOLVED that funds for said action are available from Account #05-7410-8811-1103.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17a Motion by Supervisor Swiatek Seconded by Councilman Kulyk

WHEREAS, Theresa Rusin has previously been appointed on a provisional basis to the position of Chief Accountant, AND

WHEREAS, Theresa Rusin was previously granted a leave of absence from her position as Junior Accountant to serve in her current position on a temporary and/or provisional basis, AND

Item No. 17a continued

WHEREAS, the Erie County Department of Personnel has determined and certified that Theresa Rusin is eligible for a non-competitive promotion in accordance with the Civil Service Law of the State, and the rules promulgated thereunder, and that she is the only name on the preferred list for said position, NOW, THEREFORE BE IT

RESOLVED that Theresa A. Rusin of 83 Croydon Drive, Depew, New York, be appointed to the position of Chief Accountant on a permanent basis, effective immediately and at a salary as determined by Town Board resolution of January 2, 1990, AND, BE IT FURTHER

RESOLVED that the leave of absence previously granted Theresa Rusin from her position as Junior Accountant be terminated.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17b Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga Department of Sanitation has Three (3) Temporary Vacancies for the Motor Equipment Operator (Class B) Utility classification, and

WHEREAS, due to extended illnesses the above stated vacancies require filling, 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 Jeff Bolis, Cheektowaga, New York and John Sczepanik, Cheektowaga, N. Y. and Richard Wilson, Cheektowaga, New York be appointed to the position of Temporary MEO-B Utility Drivers 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 immediately.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17c Appointment to Cheektowaga Economic Development Corp.
This item was withdrawn.

Item No. 18 Motion by Councilman Solecki Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following individuals be and hereby are terminated as Seasonal and/or Part-Time employees in the Department listed:

SANITATION DEPARTMENT	EFFECTIVE
Galuszka, William	2/5/90
Russ, John	2/5/90

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Jaworowicz Seconded by Councilman Rogowski

BE IT RESOLVED that the following individuals be and hereby are hired as seasonal employees, for a period not to exceed 24 consecutive weeks in a calendar year, on an as needed basis, in the departments and at the rated listed:

TAX OFFICE - (Night Shift) - $4.25 per hour	EFFECTIVE
Ruth Kulyk	Retroactive to 2/1/90

POLICE DEPARTMENT - Detective Bureau - $5.00 per hour
Acct. #01-3120-0001-1391

Paul D. Folsom	Immediately

and BE IT FURTHER

RESOLVED that the hourly rate for Joan Meyers be established at $6.00 per hour for the year 1990.

and BE IT FURTHER

RESOLVED that the hourly rate for Julie Miller and Sophie Sunday of the Town Clerk's Office be established at $6.00 per hour for the year 1990.

BE IT FURTHER RESOLVED, that Jim McCloskey of Cheektowaga, New York be hired in the Sanitation Department at $5.00 per hour.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20a Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, Digital Equipment Corporation will be sponsoring a course entitled "ALL-IN-1 V2.3 Manager" in Bedford, Massachusetts from February 5-9, 1990, and

WHEREAS, the Chief of Police has requested permission for Captain John Howlett to attend this course and

WHEREAS, this course will train Captain Howlett to use the "All-in-One" computer software, which is a sophisticated word processing package, and

WHEREAS, this course will be of benefit to the Town Police Department for data retrieval, storage, etc., NOW, THEREFORE, BE IT

RESOLVED that Captain Howlett be and hereby is authorized to attend the aforementioned computer course, and BE IT FURTHER

RESOLVED that Captain Howlett shall be reimbursed for his reasonable and necessary expenses in attending such course in an amount not to exceed $450.00 from Town budget line item number 01-1910-0004-4082.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20b Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Association of New York State Youth Bureau is conducting its semi-annual meeting in Albany, New York on February 26th and 27th, 1990, and

Item No. 20b continued

WHEREAS, all youth directors have been requested to attend this meeting, legislative breakfast and subsequent lobbying efforts to increase the per capita state aid to Local Youth Development and Delinquency Prevention Programs, BE IT

RESOLVED that Kenneth J. Kopacz, Executive Director of the Youth Bureau, be reimbursed necessary transportation costs and expenses to attend said meeting at a cost not to exceed $350.00. (Line Item No. 01-1910-0004-4082)

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Councilman Kulyk Seconded by Supervisor Swiatek

WHEREAS, the Town has determined to restructure certain positions in the Accounting/Payroll Department as a result of the creation of the Chief Accountant position and permanent appointment thereto, AND

WHEREAS, it is in the interest of the Town Board to create the position of Accountant, AND

WHEREAS, there is currently in existence no valid Civil Service list for said position, NOW, THEREFORE, BE IT

RESOLVED that the position of Accountant be created and that Robert Kaczmarek, , Cheektowaga, the Junior Accountant in the Accounting/Payroll Department, having met the minimum qualifications for such position, be and hereby is appointed to the position of Accountant, on a provisional basis, pending the establishment of a new Civil Service competitive list for said position, at an annual salary of $31,925., AND, BE IT FURTHER

RESOLVED that the position of Junior Accountant be and hereby is abolished.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

GENERAL FUND

From:	1910-04-4711	(Contingency)	$2,000.00
	1010-04-4001	(Office Supplies-Council)	1,000.00
	1110-01-1391	(Part Time Clerk-Justice)	10,800.00
	1110-04-4001	(Office Supplies-Justice)	2,500.00
	1410-04-4001	(Office Supplies-Town Clerk)	6,252.00
	1410-04-4001	(Office Supplies-Town Clerk)	2,261.20
	1430-04-4502	(Legal-Personnel)	1,500.00
	1910-04-4711	(Contingency)	2,625.00
	1910-04-4711	(Contingency)	9,250.00
	7140-01-1614	(Rec. Playground Attendants)	5,000.00
	7310-04=4694	(Youth Employment Program)	2,748.00
	7310-01-1812	(Youth Conser. Corp. PT)	1,523.00
	7310-01-1812	(Youth Conser. Corp. PT)	1,502.00
	7310-01-1811	(Youth Conser. Corp. Supv.)	8,104.00

Item No. 22 continued

To:	3120-04-4002	(Print Shop-Paper & Supplies)	2,000.00
	1010-02-2201	(Office Equip.-Council)	1,000.00
	111--04-4592	(Contracted Clerical-Justice)	10,800.00
	1110-04-4431	(Equip. Main. - Justice)	2,500.00
	1410-04-4188	(Equip. Rental-Town Clerk	6,252.00
	1410-04-4431	(Equip. Main. - Town Clerk	2,261.20
	1430-01-1391	(PT Clerical Personnel)	1,500.00
	1355-01-1101	(Assessor)	2,625.00
	1320-04-4506	(Acct. & Audit Consul.)	9,250.00
	7140-01-1622	(Rec. Attendent)	5,000.00
	7310-04-4685	(Y.E.S. Program)	2,748.00
	7310-04-4685	(Y.E.S. Program)	1,523.00
	7310-04-4687	(Child & Family Services)	1,502.00
	7310-04-4677	(Catholic Charities School Inter.)	8,104.00

CAPITAL FUND

From:	1440-8905-1100	(S.W. Drainage)	$22,000.00
	1440-8905-1102	(U-Crest Drainage)	3,500.00
	1440-8905-1103	(Scajaquada Creek Tributary)	18,000.00
To:	1440-8905-1108	(S.E. Drainage)	40,003.50

RISK RETENTION FUND

From:	2798-0000	(Appropriated Reserve)	$1,000.00
To:	1710-04-4521	(Risk-Consultant)	1,000.00

SPECIAL DISTRICT FUND

From:	8125-04-4543	(Contracted Sewer Repair)	$15,000.00
To:	8135-04-4581	(Contracted Technical Services)	15,000.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 5, 1990 are hereby approved and made a parcel hereof:

GENERAL FUND	$583,790.86
HIGHWAY FUND	708,629.02
CAPITAL FUND	53,587.19
TRUST & AGENCY FUND	12,861.81
PART TOWN FUND	10,192.71
RISK RETENTION FUND	39,250.00
HUD FUND	30,818.91
STATE AHC HOME IMPROVEMENT FUND	4,199.20
HUD REHAB. FUND	11,603.80
SPECIAL DISTRICT FUND	2,332,614.08
	$3,787,547.58

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 24 — Building Permits
Received & Filed

Item No. 25a — 1989 Annual Report: Receiver of Taxes & Assessments
Received & Filed

Item No. 25b — 1989 Annual Report: Justice Court
Received & Filed

Item No. 26a — Minutes of Cheektowaga Traffic Safety Commission: January 1990
Received & Filed

Item No. 26b — Minutes of Cheektowaga Public Library Board: December, 1989
Received & Filed

III. GENERAL COMMUNICATIONS

Item No. 27a — Notice of Claim: Maria Miller vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Zambelli International; S.I.S. Services, Insurance Carrier; Joseph J. Naples, Insurance Carrier; Ernest Holfoth, Insurance.
Received & Filed.

Item No. 27b — Notice of Claim: John C. Catanzaro vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Sewer Department; S.I.S. Services, Insurance Carrier.
Received & Filed

Item No. 27c — Notice of Claim: Nichles & Karen Derion vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Joseph J. Naples, Insurance Carrier.
Received & Filed

Item No. 27d — Notice of Claim: Katherine L. Ritenour vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department; S.I.S. Services, Insurance Carrier.
Received & Filed.

Item No. 27e — Notice of Claim: David F. Schenbach vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sewer Department; S. I. S. Services, Insurance Carrier.
Received & Filed

Item No. 28 — NFTA: Negative Declaration for Acquisition of Buffalo Airport Center and Demolition of acquired property.
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Councilmen; Engineering Department; Planning Board; Building Department.
Received & Filed

Item No. 29 NYS DOT: Notice of Order - 45 M.P.M. on Rt. 20/78 south of Como Park Blvd. Received & Filed.

IV. SUSPENSION OF RULES

* *

MOTION BY COUNCILMAN KULYK AND SECONDED BY SUPERVISOR SWIATEK TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING ITEM AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, the Town is in receipt of a notice from Captain Henry Kempski, of the Town's Police Department, that he will retire from his position as Police Captain effective March 15, 1990, the receipt of which is hereby acknowledged, NOW, THEREFORE, BE IT

RESOLVED that the retirement of Captain Henry Kempski is accepted, effective March 15, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Jaworowicz Seconded by Councilman Rogowski to adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk

MEETING NO. 4
February 26, 1990

Item No. 1 At a 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 26th day of February, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chris Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; John Schaller, Assistant Chief of Police; Sal LaGreca, Employment and Training Director II; also Planning Board Chairman; Jerry Gabryszak, Community Development Director; Terry Rusin, Chief Accountant; Robert Pietrzak, Member of Economic Development Corp., Dick Godlewski, Working Foreman in Facilities; Captain John Howlett; Robert Kaczmarek, Accountant; Pat Wojcik, Recreation Supervisor-Senior Services; Len Szymanski, Facilities Department; Ken Paa, Fire Dispatch.

I. RESOLUTIONS

Item No. 2a Decision on Special Use Permit - 1989 Harlem Road
This resolution was withdrawn.

Item No. 2b Motion by Councilman Kulyk, Seconded by Unanimously by the Town Board

WHEREAS, Sister Mary Jan has petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by St. Joseph Intercommunity Hospital, Inc. and located at 2605 Harlem Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of February, 1990 at 7:00 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. Submittal of a final detailed landscape plan to the Planning Board
2. Contingent on Zoning Ordinance Section 82-70 (Development Plan),

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, and

Item No. 2b cont'd

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED that the application of St. Joseph Intercommunity Hospital, Inc. 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 approved subject to the above noted recommendations of the Cheektowaga Planning Board and the following conditions:

1. No traffic ingress or egress be permitted to the site from Tillotson Avenue or The Avenue, which are on the south side of the property. Both street stubs shall be permanently barricaded with continuous berming and landscaping which will run along the boundary of the site.

2. No traffic ingress or egress be permitted from Eastland Parkway, which is on the north side of the property.

3. Additional screening and landscaping shall be installed opposite the hospital's loading dock. Such screening/ landscaping shall be acceptable to the Planning Board.

4. Rosewood Drive and West Grand Boulevard (both located on the north side of the property) shall be closed to traffic. Developer shall install locking, sliding gates at its expense, for the purpose of allowing emergency vehicle/equipment access to the site from such streets.

5. No construction activity on the site shall take place prior to 7:00 A.M. on weekdays or 9:00 A.M. on weekends and holidays. Construction vehicles are prohibited from using any entrance to the site other than Harlem Road or Southern Parkway to West Grand Boulevard. The developer shall keep a water truck on the site during site preparation and excavation periods, and BE IT FURTHER

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

* *

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN SOLECKI TO AMEND THE ABOVE RESOLUTION and the voting was as follows:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

and the amended resolution is as follows:

* *

Motion by Councilman Kulyk, Seconded Unanimously by the Town Board

WHEREAS, Sister Mary Jan has petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by St. Joseph Intercommunity Hospital, Inc. and located at 2605 Harlem Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

Item No. 2b cont'd

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of February, 1990 at 7:00 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. Submittal of a final detailed landscape plan to the Planning Board
2. Contingent on Zoning Ordinance Section 82-70 (Development Plan),

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, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED that the application of St. Joseph Intercommunity Hospital, Inc. 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 approved subject to the above noted recommendations of the Cheektowaga Planning Board and the following conditions:

1. No traffic ingress or egress be permitted to the site from Tillotson Avenue or The Avenue, which are on the south side of the property. Both street stubs shall be permanently barricaded with continuous berming and landscaping which will run along the boundary of the site.

2. No traffic ingress or egress be permitted from Eastland Parkway, which is on the north side of the property.

3. Additional screening and landscaping shall be installed opposite the hospital's loading dock. Such screening/ landscaping shall be acceptable to the Planning Board.

4. Rosewood Drive and West Grand Boulevard (both located on the north side of the property) shall be closed to traffic. Developer shall install locking, sliding gates at its expense, for the purpose of allowing emergency vehicle/equipment access to the site from such streets.

5. No construction activity on the site shall take place prior to 7:00 A.M. on weekdays or 9:00 A.M. on weekends and holidays. Construction vehicles are prohibited from using any entrance to the site other than Harlem Road or Southern Parkway to West Grand Boulevard. The developer shall keep a water truck on the site during site preparation and excavation periods, and BE IT FURTHER

6. That the two additional driveways on Harlem Road to be used as one way ingress for the drive closest to McNaughton Avenue and one way egress for the drive closest to Southern Parkway.

and BE IT FURTHER

Item No. 2b cont'd

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

* See next page for legal description

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

does hereby grant and release unto the part y *of the second part,* its successors *and assigns forever, all* THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektwoaga, County of Erie and State of New York, being the southwest part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows: namely:- On the south by Lot No. 24. On the east by a line parallel with the east line of said Lot No. 25 and distant twenty-five chains (25) and fifty-two links (52) west therefrom. On the north by a line parallel with the south bounds of said Lot No. 25, and far enough north therefrom to include twenty-six (26) acres and eighty-four hundredths (84/100) of an acre south of said line. And on the west by a road one chain wide (now known as Harlem Avenue). Containing at least twenty-six (26) acres and eighty-four hundredths (84/100) of an acre of land.

EXCEPTING, however, Right of Way dated September 12, 1927, granted to The Depew and Lancaster Light, Power and Conduit Company, recorded in Liber 1968 of Deeds at page 5, in the Erie County Clerk's Office, State of New York, on September 30, 1927.

This conveyance is made pursuant to an Order of the Supreme Court granted and entered the 7th day of December, 1956.

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

Scott Benson, 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 MAR 08 1990; last publication MAR 08 1990; and that no more than six days intervened between publications.

Margaret J. Bourdette

Sworn to before me this MAR 08 1990

day of , 19

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

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 26th day of February, 1990 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Patricia A. Jaworowicz

Motion by Councilman Kulyk and Seconded by Unanimously by the Town Board

WHEREAS, Sister Mary Jan has petitioned for the rezoning from R-Residential District to RC-Restricted Business District of property owned by St. Joseph Hospital Intercommunity Hospital, Inc. and located at 2605 Harlem Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of February, 1990 at 7:00 o'clock P.M., after publication and service of 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 recommened approval of the Special Permit subject to the following conditions:

1. submittal of a final detailed landscape plan to the Planning Board

2. Contingent on Zoning Ordinance Section 82-70

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.

and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of St. Joseph Intercommunity Hospital, Inc. 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 approved subject to the above noted recommendations of the Cheektowaga Planning Board and the following conditions:

1. No traffic ingress or egress be permitted to the site from Tillotson Avenue or The Avenue, which are on the south side of the property. Both street stubs shall be permanently barricaded with continuous berming and landscaping which will run along the boundary of the site.

2. No traffic ingress or egress be permitted from Eastland Parkway, which is on the north side of the property.

3. Additional screening and landscaping shall be installed opposite the hospital's loading dock. Such screening/landscaping shall be acceptable to the Planning Board.

4. Rosewood Drive and West Grand Boulevard (both located on the north side of the property) shall be closed to traffic. Developer shall install locking, sliding gates at its expense, for the purpose of allowing emergency vehicle/equipment access to the site from such streets.

5. No construction activity on the site shall take place prior to 7:00 A.M. on weekends and holidays. Construction vehicles are prohibited from using any entrance to the site other than Harlem Road or Southern Parkway to West Grand Boulevard. The developer shall keep a water truck on the site during preparation and excavation periods, and BE IT FURTHER

6. That the two additional driveways on Harlem Road to be used as one way ingress for the drive closest to McNaughton Avenue and one way egress for the drive closest to Southern Parkway,

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon roll call.....

Supervisor Swiatek Voting AYE
Councilman Johnson Voting AYE
Councilman Jaworowicz Voting ABSENT
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Kazukiewicz Voting AYE
Councilman Solecki Voting AYE
AYES: 6
NAYES: 0
ABSENT: 1

does hereby grant and release unto the party of the second part, its successors and assigns forever, all TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being the southwest part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's Survey, bounded as follows: namely: On the south by Lot No. 24. On the east by a line parallel with the ease line of said Lot No. 25 and distant twenty-five chains (25) and fifty-two links (52) west therefrom. On the north by a line parallel with the south bounds of said Lot No. 25, and far enough north therefrom to include twenty-six (26) acres and eighty-four hundredths (84/100) of an acres south of said line. And on the west by a road one chain wide (now known as Harlem Avenue). Containing at least twenty-six (26) acres and eighty-four hundredths (84/100) of an acre of land.

EXCEPTING, however, Right of Way dated September 12, 1927, granted to The Depew and Lancaster Light, Power and Conduit Company, recorded in Liber 1968 of Deeds at page 5, in the Erie County Clerk's Office, State of New York, on September 30, 1927.

This conveyance is made pursuant to an Order of the Supreme Court granted and entered the 7th day of December, 1956.

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 26, 1990, 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 meeting of said Board, and such minutes appear at item 2b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 26th day of February, 1990.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 8, 1990

Item No. 2c Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, Stanley Wilson has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by him and located at 81 Rachelle Drive, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of February, 1990 at 7:00 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, 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, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED that the application of Stanley Wilson for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

* See next page for legal description

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

and assigns forever, all

THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 108, Township 10, Range 7 of the Buffalo Creek Reservation, and according to a map filed in the Erie County Clerk's Office under map cover No. 2175, is known and distinguished as subdivision lot No. 85.

EXCEPTING AND RESERVING THEREFROM all right, title and interest in and to the street known as Rachelle Drive, as shown on said map, which said street has been conveyed to the Town of Cheektowaga for highway purposes.

SUBJECT to easements, rights of way and restrictions of record, if any.

1964 MAY
E
CL

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

Scott Benson, 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 MAR 08 1990; last publication MAR 08 1990; and that no more than six days intervened between publications.

Margaret J. Bourdette

Sworn to before me this MAR 08 1990

day of , 19

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

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 26th day of February, 1990 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Patricia A. Jaworowicz

Motion by Councilman Kulyk and Seconded by Councilman Rogowski

WHEREAS, Stanley Wilson has petitioned for the rezoning from R-Residential District to RA-Apartment District on property owned by him and located at 81 Rachelle Drive, Cheektowaga, New York, which property more particularly described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of Feburary, 1990 at 7:00 o'clock P.M., after of said day for the purpose of consider publication and service of 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.

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 the Special Permit will not have a significant effect on the environment.

and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of Stanley Wilson for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted, and BE IT FURTHER

RESOLVED, that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 108, Township 10, Range 7 of the Buffalo Creek Reservation, and according to a map filed in the Erie County Clerk's Office under map cover No. 2175, is known and distinguished as subdivision lot No. 85.

EXCEPTING AND RESERVING THEREFROM all right, title and interest in and to the street known as Rachelle Drive, as shown on said map, which said street has been conveyed to the Town of Cheektowaga for highway purposes.

SUBJECT to easements, rights of way and restrictions of record, if any.

Upon roll call.....

Supervisor Swiatek Voting AYE
Councilman Johnson Voting AYE
Councilman Jaworowicz Voting ABSENT
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Kazukiewicz Voting AYE
Councilman Solecki 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 CERTIFIED as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on February 26, 1990, 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 meeting of said Board, and such minutes appear at item 2c, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 26th day of February 1990.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 8, 1990

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

WHEREAS, the Zoning and Petitions Committee and the Planning Board have recommended that those properties located on the north and south sides of Walden Avenue from the Buffalo City line to Harlem Road be rezoned from CM-General Commercial District to C-Retail Business District, NOW, THEREFORE, BE IT

RESOLVED that a public hearing concerning such proposal be held on the 19th day of March, 1990 at 6:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

STATE
COUNT
TOWN

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

..... Scott Benson ....., of the town
of Chee of Cheektowaga, in said County of Erie, being
duly sw duly sworn, deposes and says that he (she) is
..... Clerk ..... of the Cheek-
towaga towaga Times, a public newspaper published
weekly weekly in said town; that the notice, of which
the anne the annexed printed slip, taken from said news-
paper is paper is a copy, was inserted and published in
said pa said paper once a week for ..... 1 ..... weeks:
first pul first publication ..... MAR 15 1990 .....;
last pul last publication ..... MAR 15 1990 .....;
and tha and that no more than six days intervened be-
tween p tween publications.

..... Scott Benson .....

Sworn Sworn to before me this ..... MAR 15 1990 .....

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

..... Margaret J Bourdette .....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of TOWN OF CHEEKTOWAGA to Rezone from CM-GENERAL COMMERICAL DISTRICT to C-RETAIL BUSINESS DISTRICT on property located at Walden Avenue properties (north & south sides) from Buffalo City Line (#991-1000) to Harlem Road (#1340 & 1351) pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

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 No. 33, Township 11, Range 7 of the Holland Land Company's Survey, and bounded and described as follows:

Property fronting on the north and south sides of Walden Avenue (a 66 foot wide right-of-way) and having varying depths along Walden Avenue; from the Buffalo City line (Nos. 992 and 1000 Walden Avenue) to the west side of Harlem Road (Nos. 1340 and 1351 Walden Avenue).

Such properties are further shown on a zoning map which is on file in the Cheektowaga Town Clerk's Office, Town Hall, Broadway & Union Road, Cheektowaga, New York, where the same may be viewed during regular business hours.

PUBLISH: March 15, 1990

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

Scott Benson, 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 MAR 08 1990; last publication MAR 08 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this MAR 08 1990

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

Margaret J Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of TOWN OF CHEEKTOWAGA to Rezone from CM-GENERAL COMMERICAL DISTRICT to C-RETAIL BUSINESS DISTRICT on property located at Walden Avenue properties (north & south sides) from Buffalo City Line (#991-1000) to Harlem Road (#1340 & 1351) pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

RICHARD M. MOLESKI
Town Clerk

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 No. 33, Township 11, Range 7 of the Holland Land Company's Survey, and bounded and described as follows:

Property fronting on the north and south sides of Walden Avenue (a 66 foot wide right-of-way) and having varying depths along Walden Avenue, from the Buffalo City line (Nos. 992 and 1000 Walden Avenue) to the west side of Harlem Road (Nos. 1340 and 1351 Walden Avenue).

Such properties are further shown on a zoning map which is on file in the Cheektowaga Town Clerk's Office, Town Hall, Broadway & Union Road, Cheektowaga, New York, where the same may be viewed during regular business hours.

PUBLISH: March 8, 1990

Item No. 3b Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, Gerald P. Kaminski, Sr. has applied for a Rezoning from M1-Light Manufacturing to M2-General Manufacturing the property located at Gardenville Industrial Park, and a Special Use Permit to operate a transport refrigeration services & sales, with the permission of the owner, Robert Mariacher, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 19, 1990 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

.....Scott..Benson....., 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 ..... weeks: first publication.....MAR 15 1990.....; last publication.....MAR 15 1990.....; and that no more than six days intervened between publications.

.....Scott Benson.....

Sworn to before me this .....MAR 15 1990.....

day of .....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

RUNNING THENCE: southerly alonge the east line of Union Road a distance of 861.98 feet more or less to the point or place of beginning.
PUBLISH: March 15, 1990

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of GERALD P. KAMINSKI, SR./ ROBERT MARIACHER to Rezone from M-1 LIGHT MANUFACTURING DISTRICT to M-2 GENERAL MANUFACTURING DISTRICT on property located at GARDENVILLE INDUSTRIAL PARK and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

SCHEDULE "A" TO AGREEMENT

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York and being part of lots 88 and 114, Township 11, Range 7 of the Holland Land Company survey (so-called), bounded and described as follows:

BEGINNING AT A POINT on the south line of a 100.00 foot wide easement granted to New York State Electric & Gas Corporation by instrument recorded in the Erie County Clerk's Office in Liber 7433 of Deeds at page 267 (said line also being the monumented center line of the Gardenville branch of the Penn Central Rail Company) at the intersection of said south line of said easement with the present easterly line of Union Road;

RUNNING THENCE: N-40 degrees, 43'-29" E and along the said south line of the said easement granted to New York State Electric & Gas Corporation a distance of 603.65 feet to the southwesterly corner of premises conveyed by Robert E. Mariacher, et al. to the Erie County Industrial Development Agency pursuant to a deed recorded in the Erie County Clerk's Office in Liber 9744 of Deeds at page 46;

RUNNING THENCE: N-02 degrees-24'-53" E and along the westerly line of the premises so conveyed to the Erie County Industrial Development Agency a distance of 379.58 feet to a point which is also the southeasterly corner of premises conveyed by Robert E. Mariacher, et al. to Richard O. Hopkins and William J. Regan, Jr.\ pursuant to a deed recorded in the Erie County Clerk's Office in Liber 9744 of Deeds at page 46;

RUNNING THENCE: N-87 degrees-035'-07" W and perpendicular to the last described course and along the southerly line of the premises so conveyed to Richard O. Hopkins and William J. Regan, Jr., a distance of 377.99 feet to a point in the east line of Union Road;

RUNNING THENCE: southerly alonge the east line of Union Road a distance of 861.98 feet more or less to the point or place of beginning.

PUBLISH: March 15, 1990

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

Scott Benson
....., 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 MAR 08 1990 ; last publication MAR 08 1990 ; and that no more than six days intervened between publications.

Margaret J. Bourdette

Sworn to before me this MAR 08 1990

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

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of GERALD P. KAMINSKI, SR./ ROBERT MARIACHER to Rezone from M-1 LIGHT MANUFACTURING DISTRICT to M-2 GENERAL MANUFACTURING DISTRICT on property located at GARDENVILLE INDUSTRIAL PARK and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

RICHARD M. MOLESKI
Town Clerk

SCHEDULE "A" TO AGREEMENT
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York and being part of lots 88 and 114, Township 11, Range 7 of the Holland Land Company survey (so-called), bounded and described as follows:

BEGINNING AT A POINT on the south line of a 100.00 foot wide easement granted to New York State Electric & Gas Corporation by instrument recorded in the Erie County Clerk's Office in Liber 7433 of Deeds at page 267 (said line also being the monumented center line of the Gardenville branch of the Penn Central Rail Company) at the intersection of said south line of said easement with the present easterly line of Union Road;

RUNNING THENCE: N-40 degrees, 43'-29"-E and along the said south line of the said easement granted to New York State Electric & Gas Corporation a distance of 603.65 feet to the southwesterly corner of premises conveyed by Robert E. Mariacher, et al. to the Erie County Industrial

_____

_____

_____

_____

d below

PHONE: _____

_____

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

Scott Benson, 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 MAR 15 1990; last publication MAR 15 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this MAR 15 1990

day of , 19

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of GERALD P. KAMINSKI, SR./ ROBERT MARIACHER for a Special Permit to sell& service trucks on property located at Gardenville Industrial Park pursuant to Article VI and Section 82-33 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Hlachowski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 15, 1990

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

Scott Benson
....., 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 ..... MAR 08 1990 ..... ;
last publication ..... MAR 08 1990 ..... ;
and that no more than six days intervened between publications.

..... Scott Benson .....

Sworn to before me this MAR 08 1990 .....

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

..... Margaret J. Bourdette .....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of GERALD P. KAMINSKI, SR./ ROBERT MARIACHER for a Special Permit to sell & service trucks on property located at Gardenville Industrial Park pursuant to Article VI and Section 82-33 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 Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Leo T. Kazukiewicz
Councilman Richard B. Solecki

RICHARD M. MOLESKI
Town Clerk
PUBLISH: March 8, 1990

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

WHEREAS, Local Law No. 2 of the Year 1987 established fees for supplying certain Town records, and

WHEREAS, fees currently be charged for computer-generated police and accident reports do not adequately reflect costs incurred by the Town, and

WHEREAS, this Board has been advised by the Police Department that fees for computer-generated police and accident reports should be increased to $10.00 per report, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on the 19th day of March, 1990 at 7:30 p.m. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga to consider the advisability of adopting Local Law No. 2 of the Year 1990, entitled "A Local Law to Amend Local Law for Fees for Certain Town Records," and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times.

* *

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga, on the 19th day of March, 1990 at 7:30 p.m. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposal to amend the Local Law for Fees for Certain Town Records (Local Law No. 2 of the Year 1987) by the adoption of Local Law No. 2 of the Year 1990, entitled "A Local Law to Amend the Local Law for Fees for Certain Town Records". A brief description of Local Law No. 2 of the Year 1990 is as follows:

Town of Cheektowaga

Local Law No. 2 of the Year 1990

A local law to amend Section 2 of the Local Law No. 2 of the Year 1987 to increase the fees for supplying computer generated police and accident reports from $4.00 to $10.00.

A copy of the complete text of Local Law No. 2 of the Year 1990 shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

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

Dated: February 26, 1990

Published: March 1, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 MAR 01 1990; last publication MAR 01 1990; and that no more than six days intervened between publications.

Margaret J. Bourdette

Sworn to before me this MAR 01 1990

day of , 19

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION [illegible] 1/91

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held by the Town Board of the Town of Cheektowaga, on the 19th day of March, 1990 at 7:30 P.M., at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposal to amend the Local Law for Fees for Certain Town Records (Local Law No. 2 of the Year 1987) by the adoption of Local Law No. 2 of the Year 1990, entitled "A Local Law to Amend the Local Law for Fees for Certain Town Records." A brief description of Local Law No. 2 of the Year 1990 is as follows:

Town of Cheektowaga

Local Law No. 2 of the Year 1990

A local law to amend Section 2 of the Local law No. 2 of the Year 1987 to increase the fees for supplying computer generated police and accident reports from $4.00 to $10.00.

A copy of the complete text of Local Law No. 2 of the Year 1990 shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

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

Dated: February 26, 1990

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 1, 1990

Item No. 3d Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, pursuant to Local Law No. 2 of the Year 1986, regulations were adopted to control the towing of abandoned and other vehicles for the Town Police Department, and

WHEREAS, monitoring of authorized Town towers under this law, is necessary to protect the public, and

WHEREAS, the Town has not received payment for such services although it costs the Town for such monitoring, and

WHEREAS, the fees presently being charged by authorized Town towers are not commensurate with private towing fees, and

WHEREAS, the Police Department has recommended the imposition of annual license fees for authorized Town towers and increased towing fees, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on the 19th day of March, 1990 at 7:30 p.m. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider the advisability of adopting Local Law No. 3 of the Year 1990, entitled "A Local Law to Amend Local Law relating to Vehicles, Removal and Storage," and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times.

* *

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga, on the 19th day of March, 1990 at 7:30 p.m. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposal to amend the Local Law for relating to Vehicles, Removal and Storage (Local Law No. 2 of the Year 1986) by the adoption of Local Law No. 3 of the year 1990, entitled "A Local Law to Amend the Local Law relating to Vehicles, Removal and Storage." A brief description of Local Law No. 3 of the Year 1990 is as follows:

Town of Cheektowaga

Local Law No. 3 of the Year 1990

A local law to amend Local Law No. 2 of the Year 1986 to:

1. Impose a $1,500 annual license fee for authorized Town towers; and

2. Increase fees allowed to be charged by authorized Town towers.

A copy of the complete text of Local Law No. 3 of the Year 1990 shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

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

Dated: February 26, 1990

Published: March 1, 1990

* *

Item No. 3d cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 MAR 01 1990;
last publication MAR 01 1990;
and that no more than six days intervened between publications.

Margaret J Bourdette

Sworn to before me this MAR 01 1990

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

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held by the Town Board of the Town of Cheektowaga, on the 19th day of March, 1990 at 7:30 P.M., at the Town Hall corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposal to amend the Local Law relating to Vehicles, Removal and Storage (Local Law No. 2 of the Year 1986) by the adoption of Local Law No. 3 of the Year 1990, entitled "A Local Law to Amend the Local Law relating to Vehicles, Removal and Storage." A brief description of Local Law No. 3 of the Year 1990 is as follows:

Town of Cheektowaga
Local Law No. 3 of the Year 1990

A local law to amend Local Law No. 2 of the Year 1986 to:

1. Impose a $1,500.00 annual license fee for authorized Town towers; and

2. Increase fees allowed to be charged by authorized Town towers.

A copy of the complete text of Local Law No. 3 of the Year 1990 shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

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

Dated: February 26, 1990
RICHARD M. MOLESKI
Town Clerk
PUBLISH: March 1, 1990

Item No. 3e Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, Robert M. Chur (as agent for Maplewood Properties Inc.) has made application and requested a rezoning of property located at 219 thru 225 Bennett Road from R-Residential to RC-Restricted Business, with the permission of the owner of said property; namely, Victor Reinstein Estate, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 19, 1990 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 MAR 15 1990;
last publication MAR 15 1990;
and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this MAR 15 1990

day of , 19

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of ROBERT CHUR/MAPLEWOOD PROPERTIES, INC. to Rezone from R RESIDENCE DISTRICT to RC-RESTRICT BUSINESS DISTRICT on property located at 219 thru 225 BENNETT ROAD and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82.70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

LEGAL DESCRIPTION OF PARCEL TO BE REZONED

PARCEL I

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the point of intersection of the center line of Bennett Road with the east line of lands owned by M. Sauter, being also the west line of lands conveyed to the Bellevue Land and Improvement Company by deed recorded in Erie County Clerk's Office in liber 932 of Deeds page 408; thence northeasterly along the center line of Bennett Road two hundred seventy nine and fifty-six hundredths (279.56) feet to the northwest corner of lands conveyed by deed recorded in said Clerk's Office in liber 736 of Deeds page 245; thence southerly along the west line of said lands one hundred forty-eight and seventeen hundredths (148.17) feet to the southwest corner of said lands; thence northeasterly along the south line of said lands twenty-eight and six tenths (28.6) feet to the southwest corner of lands conveyed to Clara Strauss by deed recorded in said Clerk's Office in liber 2136 of Deeds page 562 thence easterly along the south line of said deed recorded in said Clerk's Office in liber 2136 of Deeds page 562, twenty-seven and fifty-eight hundredths (27.58) feet to the southeast corner thereof; thence northerly along the east line of said deed recorded in said Clerk's Office in liber 2136 of Deeds page 562 and deed recorded in said Clerk's Office in liber 736 of Deeds page 245, one hundred sixty-three and seventeen hundredths (163.17) feet to the center line of Bennett Road; thence northeasterly along the center line of Bennett Road two hundred twenty-two and fifty-five hundredths (222.55) feet to an angle point therein; thence continuing northeasterly along the center line of Bennett Road seventy-five and thirty-nine hundredths (75.39) feet; thence southeasterly at right angles two hundred sixty (260) feet more or less to the center line of the Cayuga Creek; thence southerly along the center line of Cayuga Creek to the south line of Lot No. 10; thence westerly along the south line of Lot No. 10; three hundred fifty-five(355) feet to the center line of the Cayuga Creek; thence northerly and westerly along the center line of the Cayuga Creek to its intersection with the west line of lands conveyed by first aforesaid deed recorded in said Clerk's Office in liber 932 of Deeds page 408; thence northerly along said west line eight hundred sixty-four (864) feet to the center line of Bennett Road at the point of beginning and including:

PARCEL II

And including all that tract or parcel or land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 59, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

BEGINNING at the point formed by the intersection of the northerly line of said Lot No. 59 with the center of Cayuga Creek and running thence easterly along the northerly line of said Lot No. 59 to the center of said Creek where said Creek again crosses said northerly line; thence southwesterly, westerly, northwesterly and northerly along the center of said Creek to the place of beginning.

PARCEL III

BUT EXCEPTING all that tract of parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York:

BEGINNING at a point of the centerline of Bennett Road 445.00 feet southwest of the intersection of the southwest line of premises of Boris Reinstein in Liber 1280 of Deeds at Page 180 and the centerline of Bennett Road as measured along the centerline of Bennett Road running thence southwesterly along the centerline of Bennett Road 175.39 feet to a point in the centerline of Bennett Road; thence southeasterly at 90 degrees, 52.95feet to a point making an interior angle of 202 degrees, 48', 45" on east 60.49 feet to a point; thence making an interior angle of 180 degrees, 26', 17" on the east a distance of 148.69 feet to a point; thence making an interior angle of 184 degrees, 05', 38" on the east 119.35 feet to a point; thence making an interior angle of 90 degrees on the northeast and proceeding about 213.00 more or less to the centerline of Cayuga Creek; thence running northerly along the centerline of Cayuga Creek about 322.3 feet more or less to a point on a line drawn at right angles to the centerline of Bennett Road at the principle point of beginning; thence northerly along said line 260.00 feet to the point or place of beginning.

Excepting therefrom the Right of Way of Bennett Road. Being 2.4 acres more or less.

PARCEL IV

AND ALSO INCLUDING all tract or parcel of land in the Town of Cheektowaga, County of Erie and State of New York:

BEGINNING at the point of intersection of the west line of Sub Lot 39 extended southerly and parallel Hawthorne Avenue to the southerly line of Bennett Road; running thence southerly and parallel Hawthorne Avenue 120.00 feet to a point; thence northeasterly, parallel Bennett Road 28.61 feet to a point; thence easterly 90 degrees Hawthorne Avenue 27.58 feet to a point; thence northerly and parallel Hawthorne Avenue 135.00 feet to a point on the south line of Bennett Road; thence southwesterly along the southeast line of Bennett Road 60.00 feet to the point or place of beginning.

PUBLISH: March 15, 1990

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

Scott Benson, 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 MAR 08 1990; last publication MAR 08 1990; and that no more than six days intervened between publications.

Margaret J Bourdette

Sworn to before me this MAR 08 1990

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

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 19th day of MARCH, 1990 at 7:00 o'clock, P.M., Eastern STANDARD Time of said day for the purpose of considering the application of ROBERT CHUR/MAPLEWOOD PROPERTIES, INC. to Rezone from R-RESIDENCE DISTRICT to RC-RESTRICT BUSINESS DISTRICT on property located at 219 thru 225 BENNETT ROAD and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

LEGAL DESCRIPTION OF PARCEL TO BE REZONED

PARCEL I

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the point of intersection of the center line of Bennett Road with the east line of lands owned by M. Sauter, being also the west line of lands conveyed to the Bellevue Land and Improvement Company by deed recorded in Erie County Clerk's Office in liber 932 of Deeds page 408; thence northeasterly along the center line of Bennett Road two hundred seventy nine and fifty-six hundredths (279.56) feet to the northwest corner of lands conveyed by deed recorded in said Clerk's Office in liber 736 of Deeds page 245; thence southerly along the west line of said lands one hundred forty-eight and seventeen hundredths (148.17) feet to the southwest corner of said lands; thence northeasterly along the south line of said lands twenty-eight and six tenths (28.6) feet to the southwest corner of lands conveyed to Clara Strauss by deed recorded in said Clerk's Office in liber 2136 of Deeds page 562 thence easterly along the south line of said deed recorded in said Clerk's Office in liber 2136 of Deeds page 562, twenty-seven and fifty-eight hundredths (27.58) feet to the southeast corner thereof; thence northerly along the east line of said deed recorded in said Clerk's Office in liber 2136 of Deeds page 562 and deed recorded in said Clerk's Office in liber 736 of Deeds page 245, one hundred sixty-three and seventeen hundredths (163.17) feet to the center line of Bennett Road; thence northeasterly along the center line of Bennett Road two hundred twenty-two and fifty-five hundredths (222.55) feet to an angle point therein; thence continuing northeasterly along the center line of Bennett Road seventy-five and thirty-nine hundredths (75.39) feet; thence southeasterly at right angles two hundred sixty (260) feet more or less to the center line of the Cayuga Creek; thence southerly along the center line of Cayuga Creek to the south line of Lot No. 10; thence westerly along the south line of Lot No. 10; three hundred fifty-five(355) feet to the center line of the Cayuga Creek; thence northerly and westerly along the center line of the Cayuga Creek to its intersection with the west line of lands conveyed by first aforesaid deed recorded in said Clerk's Office in liber 932 of Deeds page 408; thence northerly along said west line eight hundred sixty-four (864) feet to the center line of Bennett Road at the point of beginning and including:

PARCEL II

And including all that tract or parcel or land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 59, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

BEGINNING at the point formed by the intersection of the northerly line of said Lot No. 59 with the center of Cayuga Creek and running thence easterly along the northerly line of said Lot No. 59 to the center of said Creek where said Creek again crosses said northerly line; thence southwesterly, westerly, northwesterly and northerly along the center of said Creek to the place of beginning.

PARCEL III

BUT EXCEPTING all that tract of parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York:

BEGINNING at a point of the centerline of Bennett Road 445.00 feet southwest of the intersection of the southwest line of premises of Boris Reinstein in Liber 1280 of Deeds at Page 180 and the centerline of Bennett Road as measured along the centerline of Bennett Road running thence southwesterly along the centerline of Bennett Road 175.39 feet to a point in the centerline of Bennett Road; thence southeasterly at 90 degrees, 52.95feet to a point making an interior angle of 202 degrees, 48', 45" on east 60.49 feet to a point; thence making an interior angle of 180 degrees, 26', 17" on the east a distance of 148.69 feet to a point; thence making an interior angle of 184 degrees, 05', 38" on the east 119.35 feet to a point; thence making an interior angle of 90 degrees on the northeast and proceeding about 213.00 more or less to the centerline of Cayuga Creek; thence running northerly along the centerline of Cayuga Creek about 323.5 feet more or less to a point on a line drawn at right angles to the centerline of Bennett Road at the principle point of beginning; thence northerly along said line 260.00 feet to the point or place of beginning.

Excepting therefrom the Right of Way of Bennett Road. Being 2.4 acres more or less.

PARCEL IV

AND ALSO INCLUDING all tract or parcel of land in the Town of Cheektowaga, County of Erie and State of New York:

BEGINNING at the point of intersection of the west line of Sub Lot 39 extended southerly and parallel Hawthorne Avenue to the southerly line of Bennett Road; running thence southerly and parallel Hawthorne Avenue 120.00 feet to a point; thence northeasterly, parallel Bennett Road 28.61 feet to a point; thence easterly 90 degrees Hawthorne Avenue 27.58 feet to a point; thence northerly and parallel Hawthorne Avenue 135.00 feet to a point on the south line of Bennett Road; thence southwesterly along the southeast line of Bennett Road 60.00 feet to the point or place of beginning.

PUBLISH: March 15, 1990

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

WHEREAS, Bid Proposals were received for the furnishing of Athletic White Stripe for the Facilities Department on February 5, 1990, and

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby award said Bid for Athletic White Stripe to:

Quikrete, Inc.
11 Steelawanna Avenue
P.O. Box B
Lackawanna, New York 14218

for:

Athletic White Stripe @ $.065 per lb.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, bids were received on February 20, 1990 for the application of chemical fertilizers and herbicides, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 21, 1990, NOW, THEREFORE, BE IT

RESOLVED that the contract for the application of chemical fertilizers and herbicides for the year of 1990 be awarded to Wright Lawn & Tree Care, Inc., 9505 High Street, Clarence Center, New York 14032 (741-3336) at the following total and unit bid prices:

ITEM 1	Nitrogen Fertilizers	$ 5,773.10
ITEM 2	Weed Control	$ 3,335.44
ITEM 3	Chemical Trimming	$ 987.41
ITEM 4	Retention Basins	$ 4,374.11
ITEM 5	Nitrogen Fertilizers	$ .00450 per sq. ft.
ITEM 6	Weed Control	$ .00559 per sq. ft.
ITEM 7	Chemical Trimming	$ .02598 per sq. ft.
ITEM 8	Weed & Feed Lawn Areas	$ .00286 per sq. ft.
ITEM 9	Chemical Trimming of Fence Lines	$ 47.15
ITEM 10	Grass Growth Regulator	$ 269.32
ITEM 11	Brush Control	$ 1,845.47
Total bid for Items 1, 2, 3, and 4		$14,470.06

and BE IT FURTHER

Item No. 4b cont'd

RESOLVED that payment for the application of chemical fertilizers and herbicides shall be charged to Account No. 01-8540-4589.

* See next page for tabulation

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

February 21, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Chemical Fertilizers and
Herbicides - 1990

Gentlemen:

Bids were received and opened on February 20, 1990 for the application of chemical fertilizers and herbicides for the year of 1990. Two (2) bids were received with the totals as follows:

BIDDER	TOTAL BID
Wright Lawn & Tree Care Inc.	$14,470.06
Turf Tek of Western New York Inc.	$27,055.00

It is, therefore, recommended that the bid be awarded to Wright Lawn & Tree Care Inc., 9595 High Street, Clarence Center, New York 14032 for their submission of the lowest bid meeting the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

Item No. 4c Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, Bid Proposals were received for the furnishing of Pool Maintenance Chemicals for the Facilities Department on February 5, 1990, and

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby award said Bid for Pool Maintenance Chemicals to:

Alden Pools Inc.	Item #1	Bromine	$2.60 per lb.
12890 Broadway	Item #2	Diatomaceous Earth	$ .25 per lb.
Alden, New York	Item #3	Sodium Bicarbonate	$ .39 per lb.
14004	Item #3	Soda Ash	$ .23 per lb.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, Bid Proposals were received for the Leasing and Servicing of Portable Chemical Toilets on February 5, 1990, and

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby award said Bid for the Leasing and Servicing of Portable Chemical Toilets to:

1. Category I - Single Units - @ $1.47 per day per unit to:

Johnny on the Spot, Inc.
P.O. Box 546
N. Tonawanda, New York 14120

2. Category II - Multiple Units - @ $19.50 per day per unit, AND

Category III - Handicapped Units - @ $2.95 per day per unit to:

Rural Sanitation Service, Inc.
10187 Main Street
Clarence, New York 14031

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 4e Motion by Councilman Rogowski, Seconded by Councilman Kulyk

WHEREAS, as a result of advertisement, bids were received on February 20, 1990 for the furnishing of equipment and operators for public works projects during the calendar year of 1990 in the Town of Cheektowaga, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 21, 1990, NOW, THEREFORE, BE IT

Item No. 4e cont'd

RESOLVED that the contract for the furnishing of equipment and operators for public works projects in the Town of Cheektowaga be awarded to Tom Greenauer Development, Inc. 2699 Transit Road, Elma, New York 14059 for submission of the lowest bid meeting the requirements of the specifications as per the unit bid prices of:

Item 1	Hydraulic Backhoe	$600.00 per 8 hour day
Item 2	Tractor with Front End Loader	$600.00 per 8 hour day
Item 3	Dozer	$520.00 per 8 hour day
Item 4	Dozer	$560.00 per 8 hour day
Item 5	Dozer	$560.00 per 8 hour day
Item 6	Tandem Dump Truck	$320.00 per 8 hour day
Item 7	Landscape Type Tractor	$400.00 per 8 hour day
Item 8	Hydraulic Backhoe	$400.00 per 8 hour day
Item 9	Laborers	$176.00 per 8 hour day
Item 10	Hydraulic Backhoe	$440.00 per 8 hour day
Item 11	8-10 Ton Static Roller	$440.00 per 8 hour day
Item 12	Dual Drum Vibratory Roller	$520.00 per 8 hour day
Item 13	Paver	$960.00 per 8 hour day
Item 14	Front End Loader	$600.00 per 8 hour day

and BE IT FURTHER

RESOLVED that payment for said equipment and operators for public works projects is to be chargeable on an as-needed basis by any Town departments who wish to avail themselves of this service within their appropriated budget items, and BE IT FURTHER

RESOLVED that the foregoing Tom Greenauer Development, Inc. equipment plus operators must be used exclusively for budgeted public works not otherwise bid.

* See next page for report, tabulation.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

February 21, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment
and Operators for Public
Works Projects - 1990

Gentlemen:

Bids were received and opened on February 20, 1990 for the furnishing of equipment and operators for public works projects. Four (4) bids were received and their totals are as follows:

BIDDER	TOTAL BID
Tom Greenauer Development, Inc., Elma, NY	$3,176.00
James T. Ribbeck, Inc., Clarence, NY	$3,264.00
Chaffee Construction, Inc., Chaffee, NY	$4,100.00
Mar-Wal Construction Company, Inc., Depew, NY	$4,690.00

It is, therefore, recommended that the bid be awarded to Tom Greenauer Development, Inc., 2697 Transit Road, Elma, New York 14059 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Edward Lepczyk

Edward Lepczyk
Sr. Engineer Assistant

EL:dms

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

Item No. 4f Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, Bid Proposals were received for Softball and Hardball Diamond Supplies on February 5, 1990, and

WHEREAS, said Proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards said Bid for Softball and Hardball Diamond Supplies to:

Jim Ludtka Sporting Goods, Inc.:

Item #1	Hardball Bases (set of three)	- $32.75 per set
Item #2	Hardball Bases (set of three)	- $29.40 per set
Item #3	Softball Bases (set of three)	- $27.40 per set
Item #4	Home Plates	- $11.95 per unit
Item #5	Pitcher's Plates	- $ 8.20 per unit

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

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

WHEREAS, it is in order that bids be advertised for the furnishing and installation of one (1) shelter and various playground equipment, and

WHEREAS, funds are available in Account #05-8629-7110-0025, 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 and installation of one (1) shelter and various playground equipment, 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 March 12, 1990 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 March 12, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the Furnishing and Installation of One Shelter and Various Playground Equipment 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.

Item No. 5a cont'd

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 26, 1990

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 ..... weeks: first publication MAR 01 1990; last publication MAR 01 1990; and that no more than six days intervened between publications.

Margaret J. Bourdette

Sworn to before me this MAR 01 1990

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

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 12, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Furnishing and Installation of One Shelter and Various Playground Equipment 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 Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

RICHARD M. MOLESKI
Town Clerk
DATED: February 26, 1990
PUBLISH: March 1, 1990

Item No. 5b Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, it is in order that bids be advertised to cover the purchase of traffic control signs, street name signs and brackets for the 1990 calendar year, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of traffic control signs, street name signs and brackets, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 12th day of March, 1990 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 12, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Furnishing of traffic control signs, street name signs and brackets for the 1990 calendar year.

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

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

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

* *

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 ..... weeks;
first publication MAR 01 1990 ;
last publication MAR 01 1990 ;
and that no more than six days intervened between publications.

Margaret J. Bourdette

Sworn to before me this MAR 01 1990

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

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on March 12, 1990 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of traffic control signs, street name signs and brackets for the 1990 calendar year.

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York

RICHARD M. MOLESKI
Town Clerk
DATED: February 26, 1990
PUBLISH: March 1, 1990

Item No. 6a Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, grant moneys are available through the New York State Council on the Arts for cultural enrichment purposes, and

WHEREAS, the Town is desirous of obtaining $8,000.00 from the Council on the Arts to retain the services of performers for the 1990 Polish-American Arts Festival, NOW, THEREFORE, BE IT

RESOLVED that Robert J. Miller and Associates, the Town's grant consultant, be and hereby is directed to prepare and submit the necessary application for $8,000.00 in grant moneys to the New York State Council on the Arts, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents in connection with such grant application.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 6b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town has been informed that grant moneys may be available to the Town from the National Endowment for the Arts for the enhancement of cultural programs, and

WHEREAS, if such funding is available, the Town could utilize same to hire performers for the Polish-American Arts Festival, NOW, THEREFORE, BE IT

RESOLVED that Robert J. Miller and Associates, the Town's grants consultant, be and hereby is requested to investigate the possibility of obtaining grant funds from the National Endowments for the Arts for the Polish-American Arts Festival and to prepare and file grant applications, if funding is available, on behalf of the Town, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents in connection with the grant application prepared by Robert J. Miller and Associates.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 6c Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, grant moneys are available from the New York State Department of Labor through the Occupational Safety and Health Training and Education Program for the training of supervisory staff and other employees in work site safety, and

WHEREAS, the Town wishes to avail itself of $23,921.00 through such program to retain a consultant to advise the Town employees on how to make the workplace safer, and

WHEREAS, the training of Town employees in work site safety would also serve to lessen the Town's liability and increase worker productivity, NOW, THEREFORE, BE IT

RESOLVED that Robert J. Miller and Associates, the Town's grants consultant, be and hereby is directed to prepare and submit the necessary application for $23,921.00 in grant moneys to the New York State Department of Labor, and BE IT FURTHER

Item No. 6c cont'd

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents in connection with such grant application.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 6d Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the National Association for the Exchange of Industrial Resources ("NAEIR") was founded in 1977 to accept donations of merchandise and to channel them to not-for-profit and municipal corporations across the country, and

WHEREAS, corporations donate items such as office supplies, computer items, books, tools, clothing, sporting goods, soap, etc. to NAEIR, and

WHEREAS, these items are them offered to NAEIR members through gift catalogs for shipping and handling charges only, and

WHEREAS, NAEIR members receive about $6,000.00 worth of new merchandise each year, and

WHEREAS, the Town of Cheektowaga wishes to avail itself of the benefits of being a NAEIR member, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes and directs the Supervisor to execute the attached application for NAEIR membership, and BE IT FURTHER

RESOLVED that NAEIR membership dues in the amount of $445.00 be appropriated from budget line item 01-1910-0004-4081.

* See next page for application

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Application for NAEIR Membership*

Deadline to save $100: ~~Feb.~~ Mar. 23rd, 1990

National Association for the Exchange of Industrial Resources **naeir**

☐ New Member Dues $445 ($545 regular dues, less Special $100 Offer.)

- ☐ Check Enclosed
- ☒ Purchase Order Enclosed
- ☐ Bill us

TO: Vivian Cowan, Membership Director
National Association for the Exchange of Industrial Resources
P.O. Box 8076
Galesburg, Illinois 61402
(309) 343-0704
1-800-562-0955

(Please print or type)

Frank E. Swiatek / Supervisor
Official Member Contact Person — Title

Town of Cheektowaga
Name of Organization — Department

Broadway & Union Rd.
Address — P.O. Box

Cheektowaga NY 14227
City — State — Zip Code

3 (716) 686-3465
Number of Staff Members — Phone

107,000
Number of People Served By Your Organization

Signature — Date

* Application with $100 offer only valid for first-time new membership. Application/Offer may not be used for renewal/reinstatement.

Membership in NAEIR is restricted to both educational and charitable organizations in the United States that qualify as on-profit entities, exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code of 1954.

Under IRC Section 170 (e) (3), merchandise received through NAEIR shall not be bartered, traded or sold, and is to be used for the care of the ill, needy, or minors.

Affiliate chapters of your organization are not included on the single membership. Your affiliates must formally apply for their own membership.

Item No. 6e Authorize Supervisor to execute documents regarding various grants to N.Y.S. Department of Labor
This item was withdrawn as it was a duplicate of Item No. 6c

Item No. 7 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance. The EMS Board, which was created at that time, has completed a review and evaluation of new/renewal license applications for driver(s)/ attendant(s), and has recommended that the Town Board issue such licenses,and

NOW, THEREFORE, BE IT RESOLVED that the recommendations of EMS Board concerning the licensing of new/renewal driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, for a period to expire upon the expiration of such ambulance 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 new/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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

NAME	ADDRESS	COMPANY	EMT EXPIRES
Schmid, Michael J.	Depew, New York 14043	Town's	1/31/92
Catalano, Todd D.	Derby, New York 14047	Town's	1/31/92
Zimmer, Christopher A.	Buffalo, New York 14211	Town's	12/31/91
Millace, Michael J.	Buffalo, New YOrk 14211	Town's	1/31/91
Kick, Michael R.	Cheektowaga, New York 14225	Town's	11/30/90

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

WHEREAS, the Town Police Department periodically provides services to the public above and beyond those required by law, and

WHEREAS, such services are currently being provided at a nominal or no charge, and

WHEREAS, it has been recommended that fees be charged for such services in an amount commensurate with costs to the Town, NOW, THEREFORE, BE IT

RESOLVED that the following fees shall hereafter be charged for the following services provided by the Town Police Department:

Record checks requested by non-governmental entities	$ 10.00
Finger Printing	$ 5.00 per card
Funeral escort	$100.00
Photographs	$ 10.00 per print
Fire/Burgler Alarm Termination/ Hook-up	$100.00 per alarm per year

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 9 Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, under its Community Development Block Grant Program, the Town of Cheektowaga made a housing rehabilitation loan to Judith M. Eggleston, Floyd P. Eggleston and Henry J. Adamczak, a minor, for premises located at 45 Grand Prix Avenue, Cheektowaga, New York; and

WHEREAS, the aforesaid property is the subject of proceedings in the United States Bankruptcy Court, as well as the Erie County Surrogate's Court; and

WHEREAS, the owners of the said property have offered to settle their loan obligation with the Town by the payment of an amount representing 75% of the total amount due, which proposal has been approved by the Hon. Joseph S. Mattina, Surrogate; and

WHEREAS, it appears prudent to discharge the mortgage held by the Town on said property upon payment of the sum of $6,500.00; NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and he hereby is authorized to sign a discharge of the mortgage held by the Town on 45 Grand Prix Avenue, Cheektowaga, New York, upon receipt of the sum of $6,500.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 10 Motion by Supervisor Swiatek, Seconded by Unanimous

WHEREAS, the Buffalo Council of the American Federation of Labor and Congress of Industrial Organizations ("Buffalo AFL-CIO") has requested permission to conduct its annual Labor Day Parade in Cheektowaga on Monday, September 3, 1990, and

WHEREAS, such parade will form in the Thruway Mall parking lot and proceed down Harlem Road to Town Park, NOW, THEREFORE, BE IT

Item No. 10 cont'd

RESOLVED that permission is hereby given to the Buffalo AFL-CIO to hold its annual Labor Day parade in Cheektowaga along the aforementioned route, 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, and to ensure compliance with the Vehicle & Traffic Law.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 11 Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, the Northeast Communities Solid Waste Management Board, the Northwest Communities Solid Waste Management Board, and the Southtowns Solid Waste Management Board have been established to cooperatively address their solid waste management responsibilities, and

WHEREAS, the three Boards are coordinating their efforts among themselves and with the Cities of Buffalo and Lackawanna; and

WHEREAS, the solid waste options under consideration will comply with the heirarchy in the State Solid Waste Management Act of 1988 for recycling, reuse and disposal; and

WHEREAS, the State Solid Waste Management Act of 1988, also established a dead line for the passage of mandatory municipal source separation ordinance by September 1, 1992; and

WHEREAS, the municipalities, through cooperative structures are committed to implementing recycling as environmentally beneficial; and

WHEREAS, the $7 million allocation to Erie County from the 1972 Environmental Quality Bond Act will be used for reimbursing 50% of the capital cost for both low technology and high technology recycling and composting systems, would encourage implementation in an economic environment where recycling is, at best, marginal, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga as a member of the Northeast Communities Solid Waste Management Board requests that the Governor by amendment reappropriate the $7 million to Erie County for both low and high technology recycling and composting systems, including as eligible costs, the purchase of collection equipment, sites, existing structures, modification to existing structures, construction of new structures, processing equipment, hauling equipment and association engineering, environmental financial and legal services; and BE IT FURTHER

RESOLVED that Erie County be authorized to contract for the pass through of these EQBA funds with municipality(ies), district(s), authority(ies) and/or agency(ies) for the benefit of recycling and composting systems.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 12a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, Josef and Eleanor M. Wimberger are the owners of property located at 305 Chapel Avenue in the Town of Cheektowaga, and

Item No. 12a cont'd

WHEREAS, an open drainage ditch crosses such property, and

WHEREAS, the Town Engineering Department has recommended that the Town obtain a drainage easement across such property, and

WHEREAS, Mr. & Mrs. Wimberger have executed such easement, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts such drainage easement from Josef and Eleanor M. Wimberger, and BE IT FURTHER

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 12b Motion by Councilman Rogowski, Seconded by Councilman Solecki

WHEREAS, M.J. Ogiony Builders, Inc. is the owner of a vacant parcel of land located on the east side of The Avenue (Assessor's S.B.L. #102.47-4-4.1) in the Town of Cheektowaga, and

WHEREAS, an existing sanitary sewer pipeline runs through such property, and

WHEREAS, the Town is desirous of obtaining a sanitary sewer easement through such property, and

WHEREAS, the President of M.J. Ogiony Builders, Inc. has executed such easement, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts such sanitary sewer easement from M.J. Ogiony Builders, Inc., and BE IT FURTHER

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 12c Acceptance of Negative Declaration for Comfort Suites Hotel
This item was withdrawn.

Item No. 13 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, the Town is in receipt of a notice from Patrolman Frank Wisniewski of the Town's Police Department, that he will retire from his position effective March 24, 1990, the receipt of which is hereby acknowledged, NOW, THEREFORE, BE IT

RESOLVED that the retirement of Patrolman Frank Wisniewski is accepted, effective March 24, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 14 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Kathleen Dombrowski, Outreach Worker (Senior Services) has accepted employment elsewhere and has resigned from her position with the Town effective February 16, 1990, NOW, THEREFORE, BE IT

RESOLVED that the resignation of Kathleen Dombrowski is hereby accepted, effective February 16, 1990 and that the Town Board hereby extends to her its thanks for ten (10) years of dedicated service to the town and specifically to the senior citizens of the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 15 Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

BE IT RESOLVED that the following Seasonal and/or Part-time employee be and hereby is terminated in the Facilities Department:

Parks Division	EFFECTIVE
Eric Ozolins	2/10/90

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 16 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, by Town Board resolution dated February 5, 1990, Richard Wilson was appointed to the position Motor Equipment Operator-B in the Sanitation Department as a result of a temporary vacancy, and

WHEREAS, effective February 12, 1990, the temporary vacancy ceased, NOW, THEREFORE, BE IT

RESOLVED that Richard Wilson return to his position as Laborer in the Sanitation Department effective February 12, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 17 Motion by Councilman Kulyk, Seconded by Councilman Rogowski

BE IT RESOLVED that the hourly rate for Joanne Krajewski, a part-time employee in the Facilities Department be established at $5.00 per hour, effective February 27, 1990, and BE IT FURTHER

RESOLVED that the hourly rate for Carol Weber, a part-time employee in the Central Garage, be established at $6.00 per hour, effective February 27, 1990, and BE IT FURTHER

RESOLVED that all seasonal and/or part-time employees in the Police Department receive an hourly rate of $4.50 per hour, effective February 27, 1990, and BE IT FURTHER

Item No. 17 cont'd

RESOLVED that the resolution duly passed by this Board on February 5, 1990 hiring, as a seasonal employee, Paul D. Folsom in the Police Department, Detective Bureau, be amended to reflect an hourly rate of $4.50 per hour, effective February 27, 1990, and BE IT FURTHER

RESOLVED that effective February 27, 1990, the hourly rate for seasonal and/or part-time employees (non-clerical) in the following departments, Sewer Maintenance, Main Pump Station and Facilities, be established at $4.65 per hour.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 18a Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, Robert Kaczmarek was previously appointed to the position of Accountant on a provisional basis, pending the establishment of a Civil Service Competitive list for said position, and

WHEREAS, such competitive Civil Service list was established on February 6, 1990 and has been canvassed in accordance with the rules of the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED that Robert Kaczmarek, Cheektowaga, New York be adn hereby is appointed to the position of Accountant on a permanent basis, effective immediately.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 18b Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

WHEREAS, a vacancy exists in the position of Outreach Worker (Senior Services), and

WHEREAS, notice of such vacancy has been posted in accordance with the terms of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, and

WHEREAS, there is in existence no current valid Civil Service examination list for said position, and

WHEREAS, the Town has received a number of applications for said position and has conducted interviews, NOW, THEREFORE, BE IT

RESOLVED that Bettina Viverto of , Cheektowaga, is hereby hired to the position of Outreach Worker (Senior Services), on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, effective March 14, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 18c Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the position of Working Foreman in the Facilities Department has been posted in accordance with the provisions of the Town's Agreement between the Town and the Town of Cheektowaga Supervisory Unit, NOW, THEREFORE, BE IT

RESOLVED that Leonard J. Szymanski of , Cheektowaga, New York 14227 be and hereby is appointed to the position of Working Foreman in the Facilities Department, effective immediately.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 19 Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual is hereby hired as a seasonal employee in the Facilities Department, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) consecutive weeks in a calendar year:

Parks Division Account #01-7110-0001-1491 at $4.65 per hour

Raymond Nowak

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 20 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED that the following individual is hereby hired on a part-time basis in the Facilities Department, not to exceed twenty (20) hours per week:

Parks Division - Acct. #01-7110-0001-1491 at $4.65 per hour

Todd C. Iozzia

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 21a Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, the Solid Waste Management Act of 1988 mandates that municipalities enact laws providing for recycling by September 1, 1992, and

WHEREAS, the New York State Department of Environmental Conservation is holding its first annual Recycling Conference on March 21-23, 1990, in Liverpool, New York, and

WHEREAS, it would be beneficial for certain members of the Town Board Sanitation Committee to attend said conference prior to New York State Mandating the adoption of recycling programs in all municipalities, NOW, THEREFORE, BE IT

Item No. 21a cont'd

RESOLVED that Councilman Richard Solecki, Chairman of the Sanitation Committee, Ron Zoeller, Sanitation Department General Foreman, and David Kulik, Working Foreman, Sanitation/Recycling, be and hereby are authorized to attend the NYSDEC's Recycling Conference, March 21-23, 1990, in Liverpool, New York, and BE IT FURTHER

RESOLVED that the above named individuals be assigned a Town vehicle for transportation to and from said Conference, and be reimbursed for all necessary and reasonable expenses associated with the Conference, not to exceed $750.00.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 21b Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the International Society of Fire Service Instructors will be conducting a "Fire Department Inspectors Conference" in Cincinnati, Ohio, on April 6, thru 11, 1990, and

WHEREAS, Matthew D. Kawczynski, Fire Inspector, for the Town of Cheektowaga, has requested permission to attend such conference on April 9, 10 & 11, 1990, and

WHEREAS, such conference will provide the Town's Fire Inspector with up-to-date information and legislation on fire prevention and control, and

WHEREAS, Matthew D. Kawczynski will attend such conference at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Matthew D. Kawczynski be and is hereby authorized to attend the "Fire Department Instructors Conference" on April 9, 10, 11, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 22 Motion by Councilman Solecki, Seconded by Councilman Rogowski

BE IT RESOLVED that Niagara Mohawk Power Corporation be and hereby is authorized to install one (1) 100 watt high pressure sodium light fixture (Police No. 2821) on Stratford Place in the Town of Cheektowaga, at an annual increase to the Town's General Lighting District of $121.75, in accordance with the attached proposal, which is hereby made a part of this resolution.

* See next page for proposal

TOWN OF CHEEKTOWAGA

STREET LIGHT PROPOSAL

STRATFORD PLACE

LOCATION:	Stratford Place (see attached sketch).
GENERAL DESCRIPTION:	Provide lighting at the corner of Genesee Street and Stratford Place.
DETAILS:	Install one 100 watt High Pressure Sodium street light on Pole No. 2821.
COST:	Annual cost for new street light is $121.75.

Item No. 22 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 23a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the New York State Department of Transportation (N.Y.S.D.O.T.) is currently reconstructing the Kensington Expressway, identified as S.H. 6508, P.I.N. 5512.23(01), within the geographical jurisdiction of the Town of Cheektowaga, and

WHEREAS, the N.Y.S.D.O.T., under the subject project, is totally reconstructing the high lighting system within the Town, from Eggert Road to the I-90 Interchange, in accordance with the agreement between the Town and the State of New York dated October 23, 1987, and

WHEREAS, the subject agreement requires the Town to maintain the reconstructed highway lighting system and provide the electrical energy for the operation of the system located within the Niagara Mohawk service district, and

WHEREAS, the newly constructed highway lighting system being furnished and installed under the Kensington Expressway Reconstruction Project by the N.Y.S.D.O.T will significantly reduce annual utility company charges against the Town General Lighting District Budget, and

WHEREAS, the subject highway reconstruction project requires that the former highway lighting system partially owned by the Niagara Mohawk Power Corporation be removed by said utility company, with removal costs chargeable to the Town of Cheektowaga, and

WHEREAS, lighting equipment removal costs for the eastbound lanes incurred under the Kensington Expressway Reconstruction Project currently being undertaken by Niagara Mohawk Power Corporation amount to $4,888.24, NOW, THEREFORE, BE IT

RESOLVED that payment to Niagara Mohawk Power Corporation in the amount of $4,888.24 for equipment removal costs associated with the eastbound lanes of the Kensington Expressway is hereby approved and shall be chargeable against the General Lighting District Account #90-5182-0004-4432.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 23b Authorize payment to N.Y.S.D.E.C.
This item was withdrawn.

Item No. 24 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the following checks drawn on the Town of Cheektowaga Payroll Account #090-391-4 at Chase Lincoln First Bank have been outstanding for more than one year, and

WHEREAS, it is in the best interest of the Town to restore said checks to cash, NOW, THEREFORE, BE IT

RESOLVED that the following checks are hereby restored to cash and the Accounting/Payroll Department is instructed to void said checks.

Item No. 24 cont'd

CHECK NO.	AMOUNT	DATED
18731	$ .62	1/9/87
21165	$ .22	2/6/87
33431	$ 3.21	6/26/87
39445	$ 17.25	8/14/87
40054	$229.45	8/21/87
46788	$ 16.75	10/30/87
47090	$ 60.00	10/30/87
47868	$ 70.00	11/20/87
48775	$ 52.28	11/20/87
62010	$ 46.38	4/15/88
70716	$ 39.42	7/8/88
85916	$ 86.12	12/16/88
	$621.70	

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 25 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM:	7310-04-4689	(Youth Conservation Corps)	$1,000.00
	7310-04-4201	(Telephone-Youth Bureau)	500.00
	7310-04-4201	(Telephone-Youth Bureau)	500.00
	1220-04-4001	(Supervisor-Office Supplies)	950.00
	1910-04-4711	(Contingency)	$1,600.00
TO:	7310-04-4681	(In Service Training-Youth)	$1,000.00
	7310-04-4061	(Publications & Dues-Youth)	500.00
	7310-04-4001	(Office Supplies-Youth)	500.00
	1220-04-4431	(Maintenance Agreement)	950.00
	1220-04-4513	(Asset Appraisal)	1,600.00

* *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN GABRYSZAK TO AMEND THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

* *

Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

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

Item No. 25 cont'd

GENERAL FUND

FROM:	7310-04-4689	(Youth Conservation Corps)	$ 1,000.00
	7310-04-4201	(Telephone-Youth Bureau)	500.00
	7310-04-4201	(Telephone-Youth Bureau)	500.00
	1220-04-4001	(Supervisor-Office Supplies)	950.00
	1910-04-4711	(Contingency)	1,600.00
	1910-04-4711	(Contingency)	14,475.00
TO:	7310-04-4681	(In Service Training-Youth)	$ 1,000.00
	7310-04-4061	(Publications & Dues-Youth)	500.00
	7310-04-4001	(Office Supplies-Youth)	500.00
	1220-04-4431	(Maintenance Agreement)	950.00
	1220-04-4513	(Asset Appraisal)	1,600.00
	8540-04-4587	(Scaj. Week Control)	14,475.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 26 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 26, 1990 are hereby approved and made a part hereof:

GENERAL FUND	$1,794,561.02
HIGHWAY FUND	462,643.58
CAPITAL FUND	228,912.98
TRUST & AGENCY FUND	106,188.70
HUD - CDBG FUND	665.86
PART TOWN FUND	29,901.40
HUD RENTAL REHAB. FUND	48,933.33
HUD REHAB FUND	9,597.00
RISK RETENTION FUND	6,294.00
SPECIAL DISTRICTS FUND	787,230.46
	$3,474,928.33

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

II. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Annual report of fees - Town Clerk's Office
Received and Filed.

Item No. 28a Minutes of January meeting - Library Board
Received and Filed.

Item No. 28b Minutes of January Meeting - Planning Board
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 29 Summons & Complaint - Gerald Papiernick, Jr. as guardian of Jennifer Papiernick vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; James Matecki, Facilities Director; Mike Miecznikowski, Recreation Director; S.I.S, Insurance Carrier.
Received and Filed.

Item No. 30a Notice of Claim - Stuart Weinstein vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; Jos. J. Naples, Insurance Carrier.
Received and Filed.

Item No. 30b Notice of Claim - Danny Dahn vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; S.I.S. - Insurance Carrier.
Received and Filed.

Item No. 30c Notice of Claim - Jane Drysdale vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; James Matecki, Facilities Director; Joseph J. Naples, Insurance Carrier.
Received and Filed.

Item No. 31a Petition from residents of Williamstowne Senior Citizens Apartments regarding proposed Local Law regarding Garbage Collection
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; James Kirisits, Town Attorney; Ron Zoeller, Working Foreman in Sanitation.
Received and Filed.

Item No. 31b Petition from residents of Pendennis Drive regarding parking on their street
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Cheektowaga Traffic Safety Commission c/o Sgt. Nacke, Police Department.
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Supervisor Swiatek, Seconded by Councilman Solecki to suspend the rules to include the following three (3) items.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 32 Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, the Town Board is in receipt of a letter of resignation from Anthony Kostyo resigning from his position as a police officer (probationary), NOW, THEREFORE, BE IT

RESOLVED that the resignation of Anthony Kostyo from the position of police officer, effective immediatley, is hereby accepted.

Item No. 32 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 33 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga will sponsor a Polish-American Arts Festival from August 17th through August 19th, 1990, and

WHEREAS, the Town of Cheektowaga wishes to engage the services of various performing artists and craftsmen for said Festival, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute all agreements on behalf of the Town necessary to secure the services of various performing artists and craftsmen for the 1990 Polish-American Arts Festival.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

Item No. 34 Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, by Town Board resolution dated November 7, 1988, property located at 794 French Road was rezoned from R-Residential District to C-Retail Business District subject to certain restrictions, and

WHEREAS, the owner of such property desires to construct a two-family dwelling on such property, and

WHEREAS, pursuant to Section 82-22 of the Zoning Ordinance, no building permit for such a development may be issued until a site plan is approved by this Town Board and the Planning Board, and

WHEREAS, the Planning Board has recommended approval of the site plan submitted by the owner of 794 French Road, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the site plan for 794 French Road as submitted by the owner of such property, and BE IT FURTHER

RESOLVED that the attached deed restriction/indenture be accepted by the Town Board in lieu of the deed restriction required by the November 7, 1988 Town Board resolution.

* See next page for deed description

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Gabryszak, Kulyk, Solecki, Rogowski, and Blachowski
NAYES: 0
ABSENT: Councilman Jaworowicz

INDENTURE

THIS INDENTURE made this 1st day of February, 1989, by PAUL T. SZCZESEK and MARCIA SZCZESEK, his wife, (hereinafter referred to as "SZCZESEK") as the owners in fee of the real property at 794 French Road in the Town of Cheektowaga, New York, being the real property described in a deed dated August 29, 1988 and recorded in the Office of the Clerk of the County of Erie, State of New York in Liber 9910 of Deeds at page 187 and more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of the east part of Lot No. 96, Township 10, Range 7 of the Buffalo Creek Reservation bounded and described as follows:

BEGINNING at the southeast corner of said Lot No. 96 which is the point of intersection of the east line of said Lot No. 96 and the center line of French Road; thence westerly along the center line of French Road 197.96 feet to the southeast corner of lands conveyed to Castine, Kidawski, Leising & Sharp, Inc. by deed recorded in Erie County Clerk's Office in Liber 7288 of Deeds at page 237; thence northerly parallel with the east line of said Lot No. 96 and along the east line of said lands described in the aforesaid deed 325 feet to the south line of said lands described in the aforesaid deed; thence easterly parallel with the center line of French Road and along the south line of said lands described in the aforesaid deed 197.96 feet to the east line of said Lot No. 96; thence southerly along the east line of said Lot No. 96 at a distance of 325 feet to the point or place of beginning.

EXCEPTING AND RESERVING THEREFROM, those certain premises conveyed to the County of Erie by Deed recorded in Erie County Clerk's Office in Liber 7673 of Deeds at Page 363.

Szczesek hereby acknowledges that upon their application to the Town of Cheektowaga, the subject premises are rezoned from "R", (residential) to "C". (commercial).

Szczesek agrees that if the use to which the property is now put (being of a commercial nature) shall at any time in the future cease or if such property shall be sold, then in such event, Szczesek will seek Town approval to rezone the subject premises from C to R, or such other designation as shall then be appropriate and acceptable to the authorities of the Town of Cheektowaga having jurisdiction thereof.

IN WITNESS WHEREOF, we have hereunto affixed our hands and seals the date first above written.

Paul T. Szczesek

Paul T. Szczesek

Marcia Szczesek

Marcia Szczesek

STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

On this 1ST day of February, 1989, personally appeared before me PAUL T. SZCZESEK, to me known to be the same person described in, and who executed the foregoing instrument and duly acknowledged the execution thereof.

Notary Public
STATE OF NEW YORK
QUALIFIED IN ERIE COUN
MY COMMISSION EXPIRES 4/

STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

On this 1st day of February, 1989, personally appeared before me MARCIA SZCZESEK, to me known to be the same person described in, and who executed the foregoing instrument and duly acknowledged the execution thereof.

Notary Public
STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 5/24/91

Item No. 35 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

P U B L I C H E A R I N G S
(held prior to Town Board meetings)

NO.	ITEM
	Meeting No. 6 March 19, 1990
1	Rezoning of North & South sides of Walden Avenue from CM-General Commercial to C-Retail Business District
2	Rezoning at Gardenville Industrial Park from M1-Lt. Mfg. to General Mfg. and Special Use Permit to operate transport refrigeration sales & service
3	Rezoning of 219 thru 225 Bennett Road from R-Residential to RC-Restricted Business District
	Meeting No. 7 April 2, 1990
1	Rezoning of property on Pfohl Road at Transit Road from M1-Light Manufacturing to M2-General Commercial District
2	Rezoning of S.W. Corner of Transit & Strasmer from RC-Restricted Business to C-Retail Business District
	Meeting No. 8 April 16, 1990
1	Proposed Acquisition of certain proeprty for Cheektowaga Municipal Golf Course

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

NO.	ITEM	PAGE
	Meeting No. 6 March 19, 1990	
2	*PROPOSED ADOPTION:*	
	a. *Local Law No. 2 of the Year 1990 entitled "A Local Law to Amend the Local Law for Fees for Certain Town Records"*	1
	b. *Local Law No. 3 of the Year 1990 entitled "A Local Law to Amend the Local Law relating to Vehicles, Removal and Storage"*	1-2
	Meeting No. 7 April 2, 1990	
2	*Amendment to ordinance granting property tax exemptions to Senior Citizens*	1
	Meeting No. 8 April 16, 1990	
2	*Amend to Traffic Ordinance - ART. IV "Traffic Control Signals" - Galleria Drive at West Ring Road; ART. VIII, "Stop and Yield Intersections" - Elaine Court; ART. X, "Parking, Standing and Stopping - Nagel Drive.*	1-2

F R O M T H E T A B L E

NO.	ITEM	PAGE
	Meeting No. 8 April 16, 1990	
3	DECISIONS:	
	a. Rezoning - east side of Union Road in Gardenville Industrial Park	2-3
	b. Special Use Permit - east side of Union Rd. in Gardenville Industrial Park	3-4

RESOLUTIONS

NO.	ITEM	PAGE
	Meeting No. 5 March 5, 1990	
2	AWARD OF BID:	
	a. Topsoil	1
	b. Furnishing of corrugated metal pipe and reinforced concrete pipe	2-4
	c. Modular Office partitions and furniture	5
3	Authorize approval of Housing Rehabilitation Loan	5
4	Permission for Cheektowaga Youth Bureau's Adapted Recreation Program to use John C. Stiglmeier Park Community Center	5
5	Acceptance of negative declaration for Comfort Suites Hotel	5-7
6	RETAIN FIRM REGARDING:	
	a. Walden Village Project and William Street Beautification	7
	b. New boiler for Senior Citizens Center	8
	c. Conservation consultant for drainage improvement	8
7	Appointment to positions of Pump Operators in Main Pump Station	9
8	Hiring seasonal employees in Recreation Department	9
9	Acceptance of resignation of school crossing guard	9-10
10	Warrant List	10
	Meeting No. 6 March 19, 1990	
3	ADOPTION:	
	a. Local Law No. 2 of the Year 1990 entitled "A Local Law to Amend the Local Law for Fees for Certain Town Records"	2
	b. Local Law No. 3 of the Year 1990 entitled "A Local Law to Amend the Local Law relating to Vehicles, Removal and Storage"	3
4	CALL FOR PUBLIC HEARINGS:	
	a. Rezoning - Pfohl Road at Transit	4
	b. Rezoning - S.W. Corner of Transit and Strasmer	5
	c. Amendment to ordinance granting property tax exemptions to Senior Citizens	6-7
	d. Acqusition of property for construction of golf course	8-9
5	AWARD OF BIDS:	
	a. Planing and texturing Pavement	10
	b. Furnishing office equipment for various departments	10-11
	c. Furnishing & installation of playground equipment	12
	d. Traffic control signs, street name signs & brackets	13-14
6	INSURANCE:	
	a. Renewal of basic property insurance	14
	b. Establish self-insured auto liability	14
	c. Renewal of liability claims administration	14-15
	d. Application for Workmen's Comp - State Fund	15
7	AUTHORIZE SUPERVISOR TO EXECUTE:	
	a. Documents for grant regarding replacement of Ledyard Ave. bridge	15
	b. Grant application regarding drug program	15-16
	c. Agreement with Camp Fire Council of Buffalo & Erie County	16
	d. Memo of Agreement with Cheektowaga Police Club	16-17
8	Approval of Public Improvement Permit for Harlequin Book Distribution Center	17
9	Permission for developer to install hydrants in Losson Meadows Subdivision	17-18
10	Authorize payment regarding development of proposed N.E. Board recycling facility	10

NO.	ITEM	PAGE
	Meeting No. 6 March 19, 1990 cont'd	
11	Authorize housing rehab loan	18-19
12	Opposition to proposed landfill tax	19
13	PROCLAMATIONS:	
	a. Cheektowaga Symphony Week	19-20
	b. Volunteer Firefighter Recruitement and Retention Month	20
14	Change in status for Senior Citizen property exemption	20-21
15	Permission for Cleveland Hill Baseball to hold parade	21
16	Create three (3) positions of Cleaner	21
17	APPOINTMENTS:	
	a. Maintenance Man in Facilities Department	22
	b. Board of Directors of Cheektowaga Economic Development Corp.	22
	c. Veterans Committee	22-23
18	Termination of part-time/seasonal employees in Youth Bureau	23
19	Hiring of seasonal employees in Sanitation	23
20	SALARY ADJUSTMENTS:	
	a. Recreation Attendants	24
	b. Employees in various Youth Program	24
21	RETAIN FIRM RE:	
	a. Represent Town in condemnation proceedings regarding proposed golf course	25-26
	b. Preparation of recycling video	27
22	Request State Legislature to adopt Home Rule Request regarding Retirement of Town Employee	28
23	Change Orders - Alexander Community Center	28
24	Transfer of Funds	28-29
25	Warrant List	29
	Meeting No. 7 April 2, 1990	
3	DECISIONS ON:	
	a. Rezoning - 219 thru 225 Bennett Road	2
	b. Special Use Permit - 1989 Harlem Road	6-7
	c. Rezoning - east side of Union Rd. in Gardenville Industrial Park	4
	d. Special Use Permit- east side of Union Rd. - Gardenville Ind. Pk.	5
	e. Rezoning - property fronting on the north and south side of Walden Avenue from Buffalo City Line to Harlem Road	3
4	Call for Public Hearing to Amend Traffic Ordinance; ART. IV, Traffic Control Signals - Galleria Drive at West Ring Road; ART. VIII, "Stop and Yield Intersections" - Elaine Court; ART. X, "Parking, Standing and Stopping" - Nagel Drive.	8-9
5	AMEND RESOLUTIONS REGARDING:	
	a. Award of Bid for modular office furniture and partitions	10
	b. Renewal of basic property insurance	11
	c. Appointment to position of Pump Operator	11
6	Rescind award of bid for Planing and Texturizing Existing Pavement	11-12
7	Establish recreational fees	12-13
8	Adoption of smoking policy for the places of employment of Town Employees	13-14
9	Direct owners of properties to repair sidewalks	14-15
10	Transfer 1978 T.V. van to Town of West Seneca	16

NO.	ITEM	PAGE
	Meeting No. 7 April 2, 1990 cont'd	
11	Authorize Town Clerk to issue Ambulance license renewals (vehicles)	16-17
12	Termination of seasonal and/or part-time employees in various depts.	17
13	APPOINTMENTS:	
	a. Cleaner in Sanitation Department	17
	b. Cleaner in Sanitation Department	17
	c. Cleaner in Facilities Department	17-18
	d. Temporary Clerk-Typist in Police Department	18
	e. EMS Board members	18-19
14	HIRING:	
	a. Van Driver in Senior Service Department	19
	b. Administrative Intern in Youth Bureau	19
	c. Administrative Assistant in Council Office	19-20
15	Retain firm regarding Low Technology Resource Recovery equipment and/or devices	20
16	AUTHORIZE EMPLOYEES TO ATTEND CONFERENCE/SEMINAR:	
	a. Police Lieutenant	20
	b. General Foreman and Working Foreman in Sanitation Dept.	21
17	Request State Legislature to adopt Home Rule Request regarding Retirement of Town Employee	21
18	Affirm recommendation of SEQR regarding Harlem-Genesee	21-22
19	Transfer of Funds	23
20	Warrant List	23
	Meeting No. 8 April 16, 1990	
4	DECISIONS ON REZONINGS:	
	a. S.W. Corner of Transit & Strasmer	4-6
	b. 400 Pfohl Road	7
5	Decision on amendment to Chapter 69 of Town Code regarding property tax exemptions for Senior Citizens	8
6	Renumber Local Laws Nos. 2 and 3 of the Year 1990	9
7	CALL FOR PUBLIC HEARINGS:	
	a. Rezoning and Special Use Permit - 1635 Kensington Avenue	9
	b. 550 Cayuga Road	10
8	Award of bid-furnishing of material & installation of picnic shelter	11
9	Notice to Bidders - Construction of golf course	11-12
10	AUTHORIZE SUPERVISOR TO:	
	a. Submit statement to U.S. Dept. of Housing & Urban Development regarding allocation of Community Development Block Grant Funds	13
	b. Sign extension of Naples Claims Management Loss Control Service Agreement	14
	c. Notify N.Y.S. Dept. of Parks, Recreation & Historic Preservation regarding grant application	14
11	Memorialize Erie County regarding reconfiguration of Losson Road to four lane highway	14-15
12	Designation of May as "Older Americans Month"	15
13	Determination of adequacy of DEIS - 2911 William Street	15
14	AFFIRMATION OF RECOMMENDATION OF SEQR BOARD REGARDING:	
	a. Municipal Golf Course	15-16
	b. Meeting of 4/4/90-Items I and IV	16

NO.	ITEM	PAGE
	Meeting No. 8 April 16, 1990 cont'd	
15	Designation of Polling Places	17
16	Clean-up - 1281 Walden Avenue	18
17	TERMINATION:	
	a. Seasonal employees in various departments	18
	b. Firm in Council Office	18
18	APPOINTMENTS:	
	a. Cleaner in Facilities (temporary)	18-19
	b. General Mechanic in Facilities	19
	c. Cleaner in Sewer Maintenance	19-20
	d. Engineering Assistant in Engineering Department	20
	e. Engineering Assistant in Engineering Department (provisional)	20-21
19	Return employee in Sanitation to former position	21
20	Hiring of part-time employee and termination of part-time employee in Senior Services	
21	Hiring of part-time employees in Sanitation	21
22	Retain firm regarding Grant Application	22
23	AUTHORIZATION TO ATTEND CONFERENCES, ETC.	
	a. Sanitation Foreman/Working Foreman to attend conference	22-23
	b. Police Officer to attend course	23
	c. Assessor and Real Property Appraiser to attend seminar	23
	d. Traffic/Sign Division Employees to attend seminar	23-24
	e. Town Disaster Coordinator to attend conference	24
24	Authorize payment to Barton & Loguidice regarding engineering work for Northeast Communities Solid Waste Management Board	24-25
25	CHANGE ORDERS - ALEXANDER COMMUNITY CENTER PHASE II:	
	a. Heating & Air conditioning	25
	b. Construction work	25
26	Transfer of Funds	25-26
27	Warrant List	26-27

DEPARTMENTAL COMMUNICATIONS

NO.	ITEM	PAGE
	Meeting No. 5 March 5, 1990	
11	Building Permits	11
12	Minutes of Cheektowaga Traffic Safety Commission/February, 1990	11
	Meeting No. 6 March 19, 1990	
26	Supervisor's Statement of Funds - December	29
27	Cheektowaga Planning Board - Minutes of February meeting	29
	Meeting No. 7 April 2, 1990	
21	Building Permits	23
22	MINUTES OF: a. Cheektowaga Library Board - February 1990 b. Cheektowaga Traffic Safety Commission - March, 1990	 23 24
	Meeting No. 8 April 16, 1990	
28	Supervisor's Statement of Funds for January and February 1990	27
29	Quarterly report of Office of Disaster Preparedness	27
30	Cheektowaga Planning Board - Minutes of March meeting	27

GENERAL COMMUNICATIONS

NO.	ITEM	PAGE
	Meeting No. 5 March 5, 1990	
13	Notice of Claim: Donald A. Annis vs. Town of Cheektowaga	11
14	NYSDOT: Notice of Order - 30 MPH limit on portion of Walden between Harlem and city line; No Parking restrictions on portion of Walden Ave.	11
15	NYSDOT: Designation of Restricted Highway - William Street beginning at Bailey easterly to 300 feet east of Ceil Drive and portion of I=90 for construction of William Street ramps.	11
	Meeting No. 6 March 19, 1990	
28	Summons & Complaint - Dorothy & Raymond Wasielewski vs Tn. of Chktg.	29
29	NOTICES OF CLAIM:	
	a. Brian Padden vs Town of Cheektowaga	30
	b. Anne Held vs Town of Cheektowaga	30
	c. James Schemansky vs Town of Cheektowaga	30
	d. Arthur Smith vs Town of Cheektowaga	30
	e. Lawrence Jagord vs Town of Cheektowaga	30
	f. Thaddeus Wielgoszynski vs Town of Cheektowaga	30
	Meeting No. 7 April 2, 1990	
23	NOTICES OF CLAIM:	
	a. Charlene Drzal, individually and as Administratrix of Estate of Mark Drzal and Conrad Drzal vs. Town of Cheektowaga	24
	b. Louise M. Gaskin, individually and as Administratrix of Estate of Brigette N. Gaskin vs. Town of Cheektowaga	24
	c. David & Michele Hartzell vs. Town of Cheektowaga	24
	d. Suzanne Wozniak as Executrix of Estate of Allen R. Karns, deceasec vs Town of Cheektowaga	24
	e. Nile Brown vs. Town of Cheektowaga	24
	Meeting No. 8 April 16, 1990	
31	Summons & Complaint - Katherine Ritenou vs Town of Cheektowaga	27
32	Notice of Claim - Salvatore Sacco vs Town of Cheektowaga	27

SUSPENSION OF RULES

NO.	ITEM	PAGE
	Meeting No. 5 March 5, 1990	
16	Change in hourly rate of pay for employee in Sewer Maintenance Dept.	11
17	Amend award of bid resolution dated 2/25/90 regarding Phase II, Alexander Community Center	12
18	Transfer of Funds	12
	Meeting No. 6 March 19, 1990	
30	Memorialize State Senator & Assemblyman to expedite creation of State appointed permanent bipartisan Stiglmeier Park/Reinstein Woods Planning & Review Committee	30-31
31	Acceptance of Negative Declaration for Comfort Suites Hotel	31-32
32	Extension to determine adequacy of DEIS for 2911 William Street	32-33
	Meeting No. 7 April 2, 1990	
24	Hiring seasonal employees in Sanitation	24-25
25	Appointment of Account Clerk in Sanitation	25
26	Approval of development plan for 2903 Genesee St.	25

S P E C I A L M E E T I N G S

NO.	ITEM	PAGE
	Special Meeting No. 9 April 30, 1990	
2	*Determination of adequacy of DEIS - 2911 William Street*	1-2
3	*Determination and Findings - condemnation of lands for Cheektowaga Golf Course*	3-4
4	*Environmental Determination and other approvals for Proposed Bells Plaza at Transit and Losson Roads*	5
5	*Rescission of and issuance of environmental determination for proposed Hampton Inn on Buell Avenue*	5
6	*Proclamation of Cheektowaga Volunteer Firemens' Recognition Day*	5-6
7	*Appointment to temporary position of Clerk-Steno in Town Clerk's Office*	6
8	*Amend resolution regarding Notice to Bidders for construction of Golf Course*	6-7
9	*Return employee in Facilities Department to original position*	8
10	*Extend review period of DEIS for Hampton Inn Hotel*	8
11	*Memorialize DEC and Dept. of Health to expedite testing of drainage behind Niagara Transformer Corp site at 1747 Dale Road*	8-9

MEETING NO. 5
March 5, 1990

Item No. 1 At a meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of March, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; John Schaller, Assistant Chief of Police; Terry Rusin, Chief Accountant; Kenneth Kopacz, Director of Youth Bureau; Ron Marten, Building & Plumbing Inspector; Don Wegner, Chairman of Zoning Board of Appeals.

I. RESOLUTIONS

Item No. 2a Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, bids were duly received by the Town Board at a bid opening on February 16th, 1990 for topsoil for use by the Town of Cheektowaga, 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, New York 14227, the lowest responsible bidder meeting specifications as set forth in the letter attached and made a part hereof.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR LETTER

CHRISTOPHER J. KOWAL
SUPERINTENDENT OF HIGHWAYS

HIGHWAY DEPARTMENT
3145 Union Road
Cheektowaga, N. Y. 14227-1083
(716) 686-3450
Mobile: 863-5867

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

February 28, 1990

SUPERVISOR FRANK E SWIATEK
TOWN BOARD MEMBERS
CHEEKTOWAGA NY 14227

Re: Award of Bids for Topsoil

Dear Town Board Members:

Whereas, bids were opened February 16th, 1990, for Topsoil to be used by the Highway Department and Custom Topsoil Inc. of 320 Crabapple Lane, Cheektowaga NY being the only bidder and the only vendor picking up specifications, I recommend that the bid be awarded to Custom Topsoil Inc.

Listed below is a tabulation of bids submitted:

TOPSOIL

Regular	$12.95 per yard delivered	$9.00 Picked-up*
Screened	$15.95 per yard delivered	$10.50 Picked-up*
Shredded	$15.95 per yard delivered	$10.50 Picked-up*

*Indicated location of Topsoil if picked-up by Highway Department 320 Crabapple Lane, Cheektowaga

Trusting this meets with your approval.

Very truly yours,

CHRISTOPHER J. KOWAL
HIGHWAY SUPERINTENDENT

ERP

Item No. 2b Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on February 20, 1990 as a result of advertisement for the furnishing of all corrugated metal, aluminized metal, slotted, polyethylene and reinforced concrete pipe requirements of the Town of Cheektowaga for the year 1990. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 27, 2990, NOW, THEREFORE, BE IT

RESOLVED that the contract for furnishing of pipe to the Town for the year 1990 as per said unit prices and as recommended by the Town Engineer is hereby awarded to the following:

K & S Contractors Supply
1971 Gunnville Road
Lancaster, New York 14086
759-6911

6" dia. C.M.P.	$ 2.24/ft.
8" dia. C.M.P.	2.97/ft.
10" dia. C.M.P.	3.68/ft.
54" dia. C.M.P.	30.72/ft.
60" dia. C.M.P.	33.96/ft.
50" X 31" C.M.P.	24.67/ft.
58" X 36" C.M.P.	28.13/ft.
65" X 36" C.M.P.	31.56/ft.
58" X 36" C.M.P. Paved Inv.	34.76/ft.
65" X 36" C.M.P. Paved Inv.	39.32/ft.
12" C.M.P. End Section	26.04 each
24" C.M.P. End Section	67.71 each
30" C.M.P. End Section	119.79 each
12" - 6" Slotted Drain	20.31/ft.
15" - 6" Slotted Drain	23.44/ft.
18" - 6" Slotted Drain	25.00/ft.
12" Slotted Drain Band	6.25 each
15" Slotted Drain Band	8.33 each
18" Slotted Drain Band	10.42 each
6" C.M.P. Perf. U.D.	2.27/ft.
8" C.M.P. Perf. U.D.	3.01/ft.
12" C.M.P. Perf. U.D.	4.17/ft.
12" R.C.P. Class III	7.95/ft.
12" R.C.P. Class IV	7.95/ft.
15" R.C.P. Class III	10.25/ft.
15" R.C.P. Class IV	10.25/ft.
18" R.C.P. Class III	13.30/ft.
18" R.C.P. Class IV	13.95/ft.
21" R.C.P. Class III	16.00/ft.
21" R.C.P. Class IV	17.75/ft.
24" R.C.P. Class III	18.40/ft.
24" R.C.P. Class IV	21.65/ft.
30" R.C.P. Class III	26.95/ft.
30" R.C.P. Class IV	29.35/ft.
36" R.C.P. Class III	36.10/ft.
36" R.C.P. Class IV	39.85/ft.
42" R.C.P. Class III	48.40/ft.
42" R.C.P. Class IV	53.25/ft.
48" R.C.P. Class III	62.25/ft.
48" R.C.P. Class IV	69.10/ft.
54" R.C.P. Class III	86.05/ft.
54" R.C.P. Class IV	94.95/ft.
60" R.C.P. Class III	102.00/ft.
60" R.C.P. Class IV	114.00/ft.
66" R.C.P. Class III	129.15/ft.
66" R.C.P. Class IV	142.90/ft.

Item No. 2b continued

72" R.C.P. Class III	$166.45/ft.
72" R.C.P. Class IV	185.75/ft.
84" R.C.P. Class III	195.75/ft.
84" R.C.P. Class IV	215.50/ft.
18" Spiral Rib Aluminized Steel Type 2	9.79/ft.
21" Spiral Rib Aluminized Steel Type 2	15.10/ft.
24" Spiral Rib Aluminized Steel Type 2	17.14/ft.
30" Spiral Rib Aluminized Steel Type 2	21.20/ft.
15" Polyethylene Pipe	3.95/ft.
18" Polyethylene Pipe	5.42/ft.
36" Polyethylene Pipe	23.96/ft.

LANE ENTERPRISES, INC.
P. O. Box 711
Bath, New York 14810
(607) 776-3366

36" C.M.P. End Section	$190.00 each
36" Spiral Rib Aluminized Steel Type 2	25.65/ft.
42" Spiral Rib Aluminized Steel Type 2	29.80/ft.
48" Spiral Rib Aluminized Steel Type 2	33.95/ft.

VELLANO BROTHERS INC.
4401 Walden Avenue
Lancaster, New York 14086
684-7222

24" Polyethylene Pipe	$ 8.35/ft.
30" Polyethylene Pipe	17.51/ft.

BUFFALO CONSTRUCTION PRODUCTS
4388 Broadway
Depew, New York 14043
681-4085

12" Polyethylene Pipe	$ 2.50/ft.

SOUTHERN TIER MUNICIPAL SUPPLIES &
CONSTRUCTION EQUIPMENT COMPANY, INC.
95 Jones & Gifford Avenue
P. O. Box 0892
Jamestown, New York 14701
487-0168

8" dia. C.M.P.	$ 2.97/ft.
15" dia. C.M.P.	6.23/ft.
43" X 27" C.M.P. Paved Inv.	25.47/ft.
50' X 31" C.M.P. Paved Inv.	30.12/ft.
72" X 44" C.M.P. Paved Inv.	52.57/ft.
10" C.M.P. Perf. U.D.	3.93/ft.

Item No. 2b continued

CHEMUNG SUPPLY CORPORATION

12" dia. C.M.P.	$ 4.98/ft.
18" dia. C.M.P.	7.49/ft.
21" dia. C.M.P.	8.82/ft.
24" dia. C.M.P.	13.27/ft.
30" dia. C.M.P.	15.83/ft.
36" dia. C.M.P.	20.19/ft.
42" dia. C.M.P.	23.87/ft.
48" dia. C.M.P.	26.99/ft.
72" dia. C.M.P.	51.42/ft.
84" dia. C.M.P.	58.97/ft.
43" X 27" C.M.P.	20.89/ft.
72" X 44" C.M.P.	44.99/ft.
15" C.M.P. End Section	34.44 each
18" C.M.P. End Section	44.94 each
21" C.M.P. End Section	56.34 each
12" - 2 1/2" Slotted Drain	19.36/ft.
15" - 2 1/2" Slotted Drain	21.69/ft.
18" - 2 1/2" Slotted Drain	23.97/ft.
10" C.M.P. Perf. U.D.	3.93/ft.
15" C.M.P. Perf. U.D.	5.34/ft.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* SEE NEXT PAGE FOR LETTER

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

February 27, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Corrugated Metal,
Polyethylene and
Reinforced Concrete
Pipe

Gentlemen:

At a public bid opening on February 20, 1990, bids were received and publicly opened for the purchase of corrugated metal, polyethylene and reinforced concrete pipe in various sizes for the 1990 calendar year. Six (6) bidders submitted bids for the ninety (90) pipe and related items as outlined in the specifications.

It is recommended that the bid for the various sizes of corrugated metal, polyethylene, reinforced concrete pipe and related items be awarded to the lowest responsible bidder meeting the requirements of the specifications as outlined on the attached resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski

Henry Borkowski
Engineering Aide

HB:dms

Item No. 2c Award of Bid: Modular Office Partitions and Furniture.
This item was withdrawn.

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

WHEREAS, the Town operates a housing rehabilitation program for eligible Town homeowners to make necessary repairs to their homes, and

WHEREAS, the Town has previously established loan limits of $10,000 for deferred loans and $12,000 for payback loans, and

WHEREAS, the Community Development Director has requested the Town Board to consider authorizing a deferred loan to the owner of the property listed below in the amount of not to exceed $14,500, due to the extent of the work required to bring the property into compliance with the Town's codes, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes a deferred loan in the amount of not to exceed $14,500 to the owner of 46 Long Avenue, Cheektowaga, and authorizes the Supervisor to execute loan documents with said property owner.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Cheektowaga Youth Bureau's Adapted Recreation Program has requested permission to conduct an overnight on March 16th and March 17th, 1990 at John C. Stiglmeier Park Community Center, and

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE, BE IT

RESOLVED THAT THE Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, said waiver extended to the Cheektowaga Youth Bureau's Adapted Recreation Program for the use of John C. Stiglmeier Park Community Center on March 16th and 17th, 1990, and BE IT FURTHER

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, Blend-All Development, Inc. (the "Developer") applied to the town of Cheektowaga for an environmental review of its request to construct a two-story 100-room 55,600 square foot hotel ("Comfort Suites Hotel") on 4.2 acres of land located at 901 Dick Road, pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, there has been agreement between the involved and interested governmental agencies that the Town should act as lead agency on this project, and

WHEREAS, by resolution dated November 6, 1989, the Town Board directed that the Developer submit a Draft Environmental Impact Statement ("DEIS")

Item No. 5 continued

for such project to this Town Board and the Town Environmental Advisory Committee for review, and

WHEREAS, on January 3, 1990, the Developer submitted a DEIS to this Town Board and the Town Environmental Advisory Committee, and

WHEREAS, the Town Environmental Advisory Committee reviewed the DEIS for the Comfort Suites Hotel and, by memo dated January 12, 1990, recommended that this Town Board accept such DEIS as being adequate and issue a negative declaration under SEQRA for same, subject to certain conditions, and

WHEREAS, this Town Board has also reviewed the DEIS for the Comfort Suites Hotel and is in agreement with the Town Environmental Advisory Committee, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the DEIS submitted by the Developer on January 3, 1990 for the Comfort Suites Hotel as being adequate and, BE IT FURTHER

RESOLVED that this Town Board hereby determines that a negative declaration for the Comfort Suites Hotel project be issued subject to the following conditions:

1. A gate be provided on the eastern driveway connecting with Buell Avenue. This gate will remain locked and keys shall be provided to the appropriate emergency response agencies. The Developer shall allow only emergency vehicles to use such driveway/gate and no other vehicles shall be allowed ingress/egress to or from Buell Avenue from the project site.

2. The Developer shall continue a "good faith" effort to acquire New York State DOT lands north of its property to provide an alternate entrance to Buell Avenue north of the proposed barricade site (provided such barricade is erected). The Developer shall continue to meet with the Town and the Town Environmental Advisory Committee to consider further traffic mitigative measures which will serve hotel customers seeking access to major thoroughfares and the Airport, with the objective of discouraging and/or denying traffic on residential streets surrounding the site.

3. The site shall be developed as approved by the Town Planning Board and the Environmental Advisory Committee with detention ponds, berms along the south property line, and landscaping as per Planning Board specifications.

4. The Developer shall erect an eight-foot-high stockade fence (subject to approval of a variance for same by the Zoning Board of Appeal) along the southerly property line of the project side and the easterly property line of the project site.

5. The Developer will not engage in construction activity prior to 7:00 A.M. on weekdays and 9:00 A.M. on weekends. The Developer will maintain a water truck on the premises during site preparations and excavation to assist in dust control.

6. No construction vehicles will be permitted to use West Sobieski or Buell Street south of the barricade site. Such vehicles will only be allowed to access the premises from Dick Road or Buell Street north of the barricade site.

AND, BE IT FURTHER

RESOLVED that the Town Building Inspector prepare the necessary negative declaration as indicated above and file same with the DEC, interested and involved agencies, and the Developer.

Item No. 5 continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6a Motion by Councilman Blachowski Seconded by Councilman Kulyk

WHEREAS, as part of this Town Board's efforts to enhance the appearance of the Town, this Town Board is proposing beautification projects for Walden Avenue (Walden Village Project) and William Street (William Street Beautification Project), and

WHEREAS, the architectural firm of Gardner Associates has submitted a proposal to conduct three stages of drawings (conceptual, preliminary and final) and to prepare illustrations of each such project, as per the attached letter for $6,000.00, and

WHEREAS, this Town Board feels that the proposal of Gardner Associates is fair and reasonable, NOW, THEREFORE, BE IT

RESOLVED that the architectural firm of Gardner Associates be and hereby is retained as per the attached proposal for the preparation of illustrations for the Walden Village Project and the William Street Beautification Project, at a cost not to exceed $6,000.00, and BE IT FURTHER

RESOLVED that moneys for such services shall be appropriated from the Town budget line item number 01-6410-0004-4582.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

*See next page for letter

GARDNER ASSOCIATES

ARCHITECTURAL PRESENTATIONS

February 23, 1990

Town Of Cheektowaga
Broadway & Union Road
Cheektowaga,New York 14227

Attn: Jacqueline A. Blachowski

Re: Walden Village and William St. Beautification Projects.

Dear Jacqueline,

I want to thank you,Frank Swiatek and Stewart Alexander for taking the time to visit our studio and allowing us to present the work that we do. As a result of that meeting, we propose to do the following full color renderings for the above mentioned projects.

Three illustrations for the Walden Village Project @ $1500.00 each...	$4500.00
One illustration for the William Street Beautification Project.	1500.00
Total this proposal less state sales tax...	$6000.00

If this commission is tax exempt, please provide the appropriate documents.

We have agreed to three stages of preliminary review; conceptual view selection, preliminary sketches, and final preliminary drawings. The drawings will be ink line with airbrush and watercolor applied.

Looking forward to working with you on these projects.

Sincerely,

Richard L. Gardner

SUITE ONE • 110 ELMWOOD AVE.
BUFFALO, NEW YORK 14201
(716) 882·8065

Item No. 6b Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, the firm of Babinsky.Klein Engineering, P.C. has submitted a proposal to provide plans for the installation of a new boiler and associated distribution system revisions at the Cheektowaga Senior Citizens Center, AND

WHEREAS, said proposal includes professional service during construction, inspections and coordination of services performed by Town personnel and HVAC Preventive Maintenance Agreement Contractor, Mollenberg-Betz AND

WHEREAS, the Town Engineer, Director of Facilities and Director of Senior Services have reviewed and recommended the need for said professional services, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approve the proposal by Babinsky.Klein Engineering, P.C. in the amount of $3,000.00 to furnish professional services required for the installation of a new boiler and associated system revisions at the Cheektowaga Senior Citizens Center, AND BE IT FURTHER

RESOLVED that funds for said action are available from Account #05-7620-8811-1104

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6c Motion by Councilman Jaworowicz Seconded by Councilman Rogowski

WHEREAS, the Town Board, in its concern for potential flooding in the southeast sector of Cheektowaga, has authorized a drainage study to provide flooding relief, AND

WHEREAS, the Town Board authorized a drainage improvement project identified as the U-Crest South Channel to provide flood relief, AND

WHEREAS, the Town of Cheektowaga has an agreement with the New York State Department of Environmental Conservation in the maintenance of Scajaquada Creek and its tributaries to provide flood relief, AND

WHEREAS, all of said ditch/creek improvements will be using the successful bidder from the Equipment & Operators for Public Works Projects 1990 bid, AND

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

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

RESOLVED that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052 (652-7577) as needed at the rate of twenty-eight dollars ($28.00) per hour for the services of a conservation consultant, AND, BE IT FURTHER

RESOLVED that payment for said services are chargeable to the following account numbers:

U-Crest South Drainage Project	1440-8905-1102
Scajaquada Creek & Tributary Improvements	1440-8905-1103
Southwest Drainage Improvements	1440-8905-1101
Southeast Drainage Improvements	1440-8905-1107

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, the Town has previously hired three (3) Pump Operators in the Main Pump station on a provisional basis, pending the establishment of a valid competitive Civil Service list for the positions, AND

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel, AND

WHEREAS, the persons whose names appear on said list have been canvassed for such positions, NOW, THEREFORE, BE IT

RESOLVED that Jon Nichy, and Taras Kulyk, be hired, effective immediately, to the positions of Pump Operator and that Robert Kubiak, , be hired to the position of Pump Operator, effective March 19, 1990, AND, BE IT FURTHER

RESOLVED that Gary Podgorski, who was previously appointed to such position on a provisional basis, be returned to his former position as Laborer in the Highway Department, effective March 19, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Gabryszak Seconded by Councilman Rogowski

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department to assist conducting its 1990 wrestling program.

WRESTLING SUPERVISOR - A7140.1615 - $5.00 per hour

Gerald Hickson

WRESTLING INSTRUCTORS -A7140.1615 - $4.00 per hour

Matthew Haberl
John Wanat
Jason Wartinger

BE IT FURTHER RESOLVED that the above employees be terminated effective June 14, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9

WHEREAS, Marshal Kistowski has been employed by the Town of Cheektowaga on a part-time basis as a school crossing guard, AND

WHEREAS, the Town is now in receipt of a letter from Marshal Kistowski voluntarily resigning her position as a school crossing guard, NOW, THEREFORE, BE IT

RESOLVED that the resignation of Marshal Kistowski is hereby accepted, effective January 31, 1990.

Item No. 9 continued

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 5, 1990 are hereby approved and made a part hereof:

GENERAL FUND	$2,191,958.11
HIGHWAY FUND	1,138,284.45
CAPITAL FUND	889,317.46
TRUST & AGENCY FUND	2,624,427.35
PART TOWN FUND	40,026.59
RISK RETENTION FUND	52,850.01
STATE AHC FUND	4,199.20
HUD REHAB. FUND	14,839.80
SPECIAL DISTRICT FUND	2,562,937.21
	$9,518,840.18

* *

MOTION BY SUPERVISOR SWIATEK AND SECONDED BY COUNCILMAN GABRYSZAK TO AMEND THE ABOVE RESOLUTION TO INCLUDE $28,178.94 FOR LAND PURCHASE AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* *

AMENDED

Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 5, 1990 are hereby approved and made a part hereof:

GENERAL FUND	$2,220,137.05
HIGHWAY FUND	1,138,284.45
CAPITAL FUND	889,317.46
TRUST & AGENCY FUND	2,624,427.35
PART TOWN FUND	40,026.59
RISK RETENTION FUND	52,850.01
STATE AHC FUND	4,199.20
HUD REHAB. FUND	14,839.80
SPECIAL DISTRICT FUND	2,562,937.21
	$9,547,019.12

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 11 Building Permits.
Received and Filed

Item No. 12 Minutes of Cheektowaga Traffic Safety Commission/February, 1990.
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 13 Notice of Claim: Donald A. Annis vs. Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher Kowal, Highway Dept.; S.I.S. Services, Insurance Carrier.
Received and Filed

Item No. 14 NYSDOT: Notices of Order; 30 MPH on Walden between Harlem and City Line and No Parking restrictions on Walden Avenue.
Copies were sent to: Frank E. Swiatek, Supervisor; Town Bord Members; Chief of Police and Highway Department.
Received and Filed

Item No. 15 NYSDOT: Designation of Restricted Highway-William Street beginning at Bailey Avenue easterly to 300 ft. east of Ceil Drive and portion of I-90 for construction of William Street ramps.
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Chief of Police and Highway Department.
Received and Filed

* *

IV. SUSPENSION OF RULES

Motion by Supervisor Swiatek and seconded by Councilman Kulyk to suspend the rules to include the following items and the voting was as follows:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* *

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

BE IT RESOLVED that the hourly rate for Rose Paa, a part-time employee in the Sewer Maintenance Department, be established at $6.00 per hour, effective immediately.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, by resolution dated February 5, 1990, this Town Board awarded a bid for General Construction Contract for the Phase II development of the Alexander Avenue Community Center to Baker Development & Construction Company, Inc., at a total bid price of $53,460.00, and

WHEREAS, the Town Engineer had recommended that this Town Bord also award the bid for Alternate Bid No. 1 (bulletin board-type cork wall covering) for an additional $1,250.00, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned Town Board resolution be and hereby is amended to include the award of the Alternate Bid No. 1 for the General Construction Contract for the Phase II development of the Alexander Avenue Community Center for an additional cost of $1,250.00, the total bid awarded to Baker Development & Construction Company award being $54,710.00 (total project bid award being $97,605.00), and BE IT FURTHER

RESOLVED that such additional cost shall be chargeable to Account No. 05-7410-8629-0040.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following transfers are hereby approved and made a part hereof:

GENERAL FUND

FROM:	1910-04-4711 (Contingency)	$6,000.00
TO:	6410-04-4582 (Walden & William Studies)	$6,000.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Rogowski Seconded by Councilman Blachowski to adjourn the meeting.

Item No. 1 At a meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of March, 1990 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer; Chris Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; Terry Rusin, Chief Accountant; Kenneth Kopacz, Director of Youth Bureau; Ron Marten, Building & Plumbing Inspector; Don Wegner, Chairman of Zoning Board of Appeals; Sal LaGreca, Employment & Training Director II; also Planning Board Chairman; Captain John Howlett; Pat Wojcik, Recreation Supervisor-Senior Services; Len Szymanski, Facilities Department; Bruce Fenwick, Personnel Director.

I. PUBLIC HEARINGS

Item No. 2a This being the time and place advertised for a public hearing to consider a proposal to amend the Local Law for Fees for Certain Town Records (Local Law No. 2 of the Year 1987) by adoption of Local Law No. 2 of the Year 1990 entitled a "A Local Law to Amend the Local Law for Fees for Certain Town Records", 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. A brief description of Local Law No. 2 of the Year 1990 is as follows:

Town of Cheektowaga

Local Law No. 2 of the Year 1990

A local law to amend Section 2 of the Local Law No. 2 of the Year 1987 to increase the fees for supplying computer generated police and accident reports from $4.00 to $10.00.

* *

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 a proposal to amend the Local Law relating to Vehicles, Removal and Storage (Local Law No. 2 of the Year 1986) by adoption of Local Law No. 3 of the Year 1990 entitled a "A Local Law to Amend the Local Law relating to Vehicles, Removal and Storage", hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The

Item No. 2b cont'd

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. A brief description of Local Law No. 3 of the Year 1990 is as follows:

Town of Cheektowaga

Local Law No. 3 of the Year 1990

A local law to amend Local Law No. 2 of the Year 1986 to:

1. Impose a $1,500 annual license fee for authorized Town towers; and

2. Increase fees allowed to be charged by authorized Town towers.

* *

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 Jaworowicz, Seconded by Councilman Gabryszak

WHEREAS, Local Law No. 2 of the Year 1987 established fees for supplying certain Town records, and

WHEREAS, fees currently being charged for computer-generated police and accident reports do not adequately reflect costs incurred by the Town, and

WHEREAS, this Board has been advised by the Police Department that fees for computer-generated police and accident reports should be increased to $10.00 per report, and

WHEREAS, a public hearing was held on the 19th day of March, 1990 at 7:30 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider the advisability of adopting Local Law No. 2 of the Year 1990, entitled "A Local Law to Amend Local Law for Fees for Certain Town Records", NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 2 of the Year 1990, entitled "A Local Law to Amend Local Law for Fees for Certain Town Records", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED that, within five (5) days of its adoption, the Town Clerk shall file one (1) certified copy of this Local Law in his office and three (3) certified copies with the Secretary of State, and BE IT FURTHER

RESOLVED that Local Law No. 2 of the Year 1990 shall take effect upon its filing with the Secretary of State.

* See next three (3) pages for copy of Local Law No. 2 of 1990

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~
Town
~~Village~~ of Cheektowaga

Local Law No. 2 of the year 19 90

A local law to amend the Local Law entitled Fees for Certain Town Records
(Insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~
Town
~~Village~~ of Cheektowaga as follows:

Section 2 of Local Law No. 2 of the Year 1987, entitled "A Local Law entitled Fees for Certain Town Records" shall be amended to read as follows:

Record	Fee
Computer-generated Police and Accident Reports	$10.00
Duplicate Tax Bills (provided other than required by statute)	$ 2.00

(If additional space is needed, please attach sheets of the same size as this and number each)

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1990 of the ~~County~~ ~~City~~ Town ~~Village~~ of Cheektowaga was duly passed by the Town Board (Name of Legislative Body) on March 19, 1990 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was not disapproved / was approved / repassed after disapproval by the ..... Elective Chief Executive Officer * and was deemed duly adopted on ..... 19..... , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was not disapproved / was approved / repassed after disapproval by the ..... Elective Chief Executive Officer * on ..... 19..... Such local law was submitted to the people by reason of a mandatory / permissive referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the general / special / annual election held on ..... 19..... , in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was not disapproved / was approved / repassed after disapproval by the ..... Elective Chief Executive Officer * on ..... 19..... . Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on ..... 19....., in accordance with the applicable provisions of law.

***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.**

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the City of ..... having been submitted to referendum pursuant to the provisions of § 36 / § 37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special / general election held on ..... 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. ..... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Richard M. Molecki

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: MAR. 19, 1990

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

James J. Kresits

Signature

Town Attorney

Title

Date: MAR. 19, 1990

~~County~~ / ~~City~~ / Town / ~~Village~~ of Cheektowaga

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

WHEREAS, pursuant to Local Law No. 2 of the Year 1986, regulations were adopted to control the towing of abandoned and other vehicles for the Town Police Department, and

WHEREAS, monitoring of authorized Town towers under this law is necessary to protect the public,and

WHEREAS, the Town has not received payment for such services although it costs the Town for such monitoring, and

WHEREAS, the fees presently being charged by authorized Town towers are not commensurate with private towing fees, and

WHEREAS, the Police Department has recommended the imposition of annual license fees for authorized Town towers and increased towing fees, and

WHEREAS, a public hearing was held on the 19th day of March, 1990 at 7:30 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider the advisability of adopting Local Law No. 3 of the Year 1990 entitled "A Local Law to Amend Local Law relating to Vehicles, Removal and Storage", NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of the Year 1990 entitled "A Local Law to Amend Local Law relating to Vehicles, Removal and Storage", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED that, within five (5) days of its adoption, the Town Clerk shall file one (1) certified copy of this Local Law in his office and three (3) certified copies with the Secretary of State, and BE IT FURTHER

RESOLVED that Local Law No. 3 of the Year 1990 shall take effect upon its filing with the Secretary of State.

* See next four (4) pages for Local Law No. 3 of the Year 1990

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City
Town
Village of Cheektowaga

Local Law No. 3 of the year 19 90

A local law A Local Law to amend Local Law No. 2 of the Year 1986 to:
(Insert title)

1. Impose a $1,500.00 annual license fee for authorized Town towers; and
2. Increase fees allowed to be charged by authorized Town towers.

Be it enacted by the Town Board of the
(Name of Legislative Body)

County
City
Town
Village of Cheektowaga, New York as follows:

(see attached)

(If additional space is needed, please attach sheets of the same size as this and number each)

Local Law No. 2 of the Year 1986, entitled "A Local Law relating to Vehicles, Removal and Storage" shall be amended as follows:

1.) A new Section 78-6.1, Annual License Fee" shall be enacted to read as follows:

§78-6.1. Annual License Fee.

A. Prior to approval or reissuance of a letter of authorization, an authorized town tower shall remit an annual license fee of one thousand five hundred dollars ($1,500.00) to the Town

B. The letter of authorization shall not be transferable and the annual license fee therefor shall not be pro-rated.

C. For the calendar year 1990 only, the annual license fee shall be payable as follows;

- On or before effective date of this section	$500.00
- On or before 6/1/90	$500.00
- On or before 10/1/90	$500.00

Otherwise the annual license fee shall be due upon issuance or re-issuance of the letter of authorization.

2.) Section 78-13, Fee schedule, shall be amended to read as follows:

§78-13. Fee Schedule

Authorized town towers shall not charge more than the following fees for the following respective services:

A.	Passenger vehicles and light trucks.	
(1)	Standard Tow (vehicles up to 10,000 lbs.)	$ 55.00
(2)	Flat Bed	70.00
(3)	Additional Fees for Labor, Recovery and Towing:	
(a)	Truck and Driver Hourly Rate	60.00
(b)	Dolly Wheels	15.00
(c)	Trailer for Motorcycle, ATV/C, Snowmobile	15.00
(d)	Winching (per 1/4 hour)	15.00
(4)	Storage (per day)	10.00
(5)	Releasing after 5:00 p.m. Weekdays or Other than Required Business Hours on Saturday, Sunday and Holidays	15.00
B.	Heavy trucks, buses, tractor trailers and machinery	
(1)	Hook up and Tow, vehicle over 10,000 lbs.	$100.00
(2)	Additional Labor Fees for Heavy Vehicles Recovery and Towing:	
(a)	Air Hookup	15.00
(b)	Mechanically Release Brakes (per axle)	15.00
(c)	Drop Trailer from Tractor	20.00
(d)	Remove Axle (per axle)	20.00
(e)	Remove Drive Shaft	25.00
(f)	Remove Bumper	25.00
(3)	Trailer Towed Behind Vehicle	50.00
(4)	Winching	100.00
(5)	Additional Labor (hourly per person)	40.00
(6)	Flatbed (per hour)	100.00
(7)	Storage: (per 24-hour day)	
(a)	Tractor	15.00
(b)	Trailer	15.00
(c)	Bus	15.00
(d)	Truck over 20 Feet Long	15.00

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1990 of the County / City / Town / Village of Cheektowaga was duly passed by the Town Board (Name of Legislative Body) on March 19, 1990 in accordance with the applicable provisions of law.

2. ~~(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer~~,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County / City / Town / Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was approved / not disapproved / repassed after disapproval by the ..... Elective Chief Executive Officer * and was deemed duly adopted on ..... 19..... , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County / City / Town / Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19..... and was approved / not disapproved / repassed after disapproval by the ..... Elective Chief Executive Officer * on ..... 19..... Such local law was submitted to the people by reason of a mandatory / permissive referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the general / special / annual election held on ..... 19..... , in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County / City / Town / Village of ..... was duly passed by the ..... on (Name of Legislative Body) on ..... 19..... and was approved / not disapproved / repassed after disapproval by the ..... on Elective Chief Executive Officer * ..... 19..... Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on ~~..... 19....., in accordance with the applicable provisions of law.~~

***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.**

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 / § 37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special / general election held on .... 19 ..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. ..... of 19..... of the County of ..... State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

~~(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)~~

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph .....1..... above.

Richard M. Moleski

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: MAR. 19, 1990

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF ....ERIE.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

James J. Kirisits

Signature

James J. Kirisits, Town Attorney

Title

Date: MAR. 19, 1990

County / City / Town / Village of ....Cheektowaga....

Item No. 4a Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, C.B. Concrete has made application and requested a rezoning of property located on Pfohl Road at Transit Road from M1-Light Manufacturing to M2-General Commercial, with the permission of the owner of said property; namely, Edmund F. Cook and Jane E. Cook, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 2, 1990 at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 ..... MAR 22 1990 .....; last publication ..... MAR 22 1990 .....; and that no more than six days intervened between publications.

..... Scott Benson .....

Sworn to before me this ..... MAR 22 1990 .....

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

..... Margaret J. Bourdette .....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 2nd day of April, 1990 at 7:00 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of C.B. CONCRETE/M&M EDWARD COOK to Rezone from M-1- LIGHT MANUFACTURING DISTRICT to M-2- GENERAL MANUFATURING DISTRICT on property located at 400 PFOHL ROAD and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 22, 1990

Item No. 4b Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, ADF Construction has made application and requested a rezoning of property located on S.W. Corner of Transit Road and Strasmer from RC-Restricted Business District to C-Retail Business District with the permission of the owner of said property; namely, Estate of Victor Reinstein, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 2, 1990 at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union.

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Scott Benson, 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 MAR 22 1990; last publication MAR 22 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this MAR 22 1990

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

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

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 the2nd day of April, 1990 at 7:00 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of BOGDAN UPHOLSTERY/ADF CONST./REINSTEIN ESTATE to Rezone from RC- RESTRICTED BUSINESS DISTRICT to C- GENERAL COMMERCIAL DISTRICT on property located at SW corner of TRANSIT & STRASMER ROADS and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 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 Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: March 22, 1990

Item No. 4c Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, an ordinance (Chapter 69 of the Code of the Town of Cheektowaga) granting property tax exemptions to eligible senior citizens was previously adopted by the Cheektowaga Town Board, and

WHEREAS, various amendments to such ordinance have been adopted to increase income eligibility for senior citizens, and

WHEREAS, by Chapter 588 of the Laws of 1989, the State Legislature authorized municipalities to further increase income eligibility under such ordinance, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on the 2nd day of April, 1990 at 7:30 P.M. to consider the advisability of amendment Chapter 69 of the Town Code to increase income eligibility for senior citizens under such ordinance, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times, the official Town newspaper.

* *

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 19th day of March, 1990, a public hearing will be held on the 2nd day of April, 1990 at 7:30 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the Tax Exemption for Senior Citizens Ordinance (Chapter 69 of the Town Code) shall be amended and changed as follows:

RESOLVED, that Subsection B.(1) of Section 69-2. Conditions for exemption, shall be amended to read as follows:

§69-2. Conditions for exemption.

B. Income range; applicability
(1) The percentage of exemption from Town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	Percentage of Exemption
$12,025.00 or Under	50%
$12,025.01 - $12,624.99	45%
$12,625.00 - $13,224.99	40%
$13,225.00 - $13,824.99	35%
$13,825.00 - $14,424.99	30%
$14,425.00 - $15,024.99	25%
$15,025.00 - $15,624.99	20%
$15,625.00 or Over	0%

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

Dated: March 19, 1990

RICHARD M. MOLESKI
Town Clerk

* *

Item No. 4c cont'd

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVIT - NEXT PAGE

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

Scott Benson
....., 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 MAR 22 1990 ;
last publication MAR 22 1990 ;
and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this MAR 22 1990

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

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that, in pursuance of a Resolution of the Town Board of the Town Of Cheektowaga, which was duly passed on the 19th day of March, 1990, a public hearing will be held on the 2nd day of April, 1990 at 7:30 p.m., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the Tax Exemption for Senior Citizens Ordinance (Chapter 69 of the Town Code) shall be amended and changed as follows:

RESOLVED, that Subsection B.(1) of Section 69-2. Conditions for exemption, shall be amended to read as follows:

69-2 Conditions for exemption.

B. Income range; applicability

(1) The percentage of exemption from town taxes shall be based on the maximum annual income range specified herein as follows:

Income Range	% of Exemption
$12,025.00 or Under	50%
$12,025.01-$12,624.99	45%
$12,625.00-$13,224.99	40%
$13,225.00-$13,824.99	35%
$13,825.00-$14,424.99	30%
$14,425.00-$15,024.99	25%
$15,025.00-$15,624.99	20%
$15,625.00 or Over	0%

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

Richard M. Moleski
Town Clerk

PUBLISH: March 22, 1990

Item No. 4d Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is in the process of acquiring land in the northeast section of Town for the construction of a municipal golf course, and

WHEREAS, Town personnel have, on numerous occasions, met and negotiated unsuccessfully with representatives of the owners of four (4) parcels of land in this area, and

WHEREAS, these four parcels of land are integral to the succesful development of the golf course, and

WHEREAS, the Town desires to acquire the above referenced properties for the aforesaid public purpose under its power of eminent domain, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a public hearing be held on the 16th day of April, 1990 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board shall make its determination and findings concerning the proposed public project, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in two successive issues of the CHEEKTOWAGA TIMES, the official Town newspaper, and in five successive issues of the Buffalo News prior to April 5, 1990.

* *

NOTICE OF HEARING

FOR ACQUISITION OF CERTAIN PROPERTY FOR

CHEEKTOWAGA MUNICIPAL GOLF COURSE

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town of Cheektowaga, which was duly passed on the 19th day of March, 1990, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 16th day of April, 1990 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board may make its determination and findings concerning the acquisition of the following four privately-owned properties in the Rehm Road area of Cheektowaga, by the Town's power of eminent domain, for the purpose of constructing a municipal golf course:

1. Rectangular-shaped parcel of land having a frontage of 1,021.03 feet on the north side of Rehm Road, a depth of 635.25 feet on the east and west sides, and measuring 1,012.09 feet on the north side; comprising 14.83± acres (shown as Parcel "K" on map on file in Town Clerk's Office)

2. Rectangular-shaped parcel of land measuring 2,229.02 feet on the east side, 2,218.55 feet on the west side, 591.43 feet on the north side, and 591.36 feet on the south side; comprising 30.18± acres and being 656.04± feet west of the terminus of Rehm Road (shown as Parcel "C" on map on file in Town Clerk's Office.)

3. Triangular-shaped parcel of land measuring 2,126.56 feet on the east side, 530.21 feet on the north side and 2,195.70 feet on the southwest side; comprising 11.51± acres; being east of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "O" on map on file in Town Clerk's Office).

Item No. 4d cont'd

4. A four-sided parcel of land measuring 2,539.55 feet on the east side, 2,267.16 feet on the west side, 399.60± feet on the north side and 942.85 feet on the south side; comprising 38.89± acres; being west of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "P" on map on file in Town Clerk's Office).

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

RICHARD M. MOLESKI
Town Clerk

Dated: March 19, 1990

* *

Upon Roll Call....

AYES:	Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES:	0
ABSENT:	0

AFFIDAVITS - NEXT PAGES

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

Scott Benson, 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 2 weeks; first publication APR 05 1990; last publication APR 12 1990; and that no more than six days intervened between publications.

Scott Benson

Sworn to before me this APR 05 1990

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

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE OF HEARING
FOR ACQUISITION OF CERTAIN PROPERTY FOR CHEEKTOWAGA MUNICIPAL GOLF COURSE

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of March, 1990, and in accordance with the provisons of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 16th day of April, 1990 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board may make its determination and findings concerning the acquisition of the following four privately-owned properties in the Rehm Road area of Cheektowaga, by the Town's power of eminent domain, for the purpose of constructing a municipal golf course:

1. Rectangular-shaped parcel of land having a frontage of 1,021.03 feet on the north side of Rehn Road, a depth of 635.25 feet on the east and west sides, and measuring 1,012.09 feet on the north side; comprising 14.83+/- acres (shown as Parcel "K" on map on file in Town Clerk's Office).

2. Rectangular-shaped parcel of land measuring 2,229.02 feet on the east side, 2,218.55 feet on the west side, 591.43 feet on the north side, and 591.36 feet on the south side; comprising 30.18+/- acres and being 656.04 +/- feet west of the terminus of Rehm Road (shown as Parcel "C" on map on file in Town Clerk's Office).

3. Triangular-shaped parcel of land measuring 2,126.56 feet on the east side, 530.21 feet on the north side and 2,195.70 feet on the southwest side; comprising 11.51+/- acres; being east of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "O" on map on file in Town Clerk's Office).

4. A four-sided parcel of land measuring 2,539.55 feet on the east side, 2,267.16 feet on the west side, 399.60+/- feet on the north side and 942.85 feet on the south side; comprising 38.89+/- acres; being west of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "P" on map on file in Town Clerk's Office).

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 5, 1990 & April 12, 1990

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

Scott Benson, 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 ..... weeks: first publication APR 05 1990 ; last publication APR 12 1990 ; and that no more than six days intervened between publications.

Margaret J Bourdette

Sworn to before me this APR 12 1990

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

Scott Benson

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE
NOTICE OF HEARING FOR ACQUISITION OF CERTAIN PROPERTY FOR CHEEKTOWAGA MUNICIPAL GOLF COURSE

NOTICE IS HEREBY GIVEN THAT, in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of March, 1990, and in accordance with the provisons of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 16th day of April, 1990 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board may make its determination and findings concerning the acquisition of the following four privately-owned properties in the Rehm Road area of Cheektowaga, by the Town's power of eminent domain, for the purpose of constructing a municipal golf course:

1. Rectangular-shaped parcel of land having a frontage of 1,021.03 feet on the north side of Rehn Road, a depth of 635.25 feet on the east and west sides, and measuring 1,012.09 feet on the north side; comprising 14.83+/- acres (shown as Parcel "K" on map on file in Town Clerk's Office).

2. Rectangular-shaped parcel of land measuring 2,229.02 feet on the east side, 2,218.55 feet on the west side, 591.43 feet on the north side, and 591.36 feet on the south side; comprising 30.18+/- acres and being 656.04 +/- feet west of the terminus of Rehm Road (shown as Parcel "C" on map on file in Town Clerk's Office).

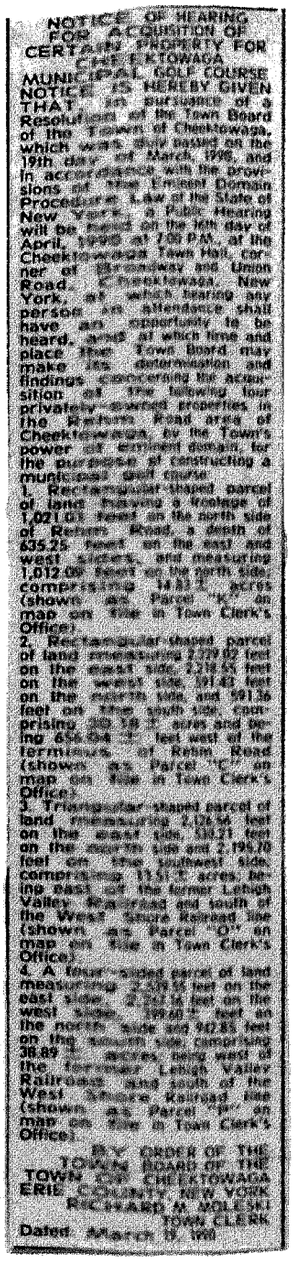
3. Triangular-shaped parcel of land measuring 2,126.56 feet on the east side, 530.21 feet on the north side and 2,195.70 feet on the southwest side; comprising 11.51+/- acres; being east of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "O" on map on file in Town Clerk's Office).

4. A four-sided parcel of land measuring 2,539.55 feet on the east side, 2,267.16 feet on the west side, 399.60+/- feet on the north side and 942.85 feet on the south side; comprising 38.89+/- acres; being west of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "P" on map on file in Town Clerk's Office).

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 5, 1990 & April 12, 1990



NOTICE OF HEARING FOR ACQUISITION OF CERTAIN PROPERTY FOR CHEEKTOWAGA MUNICIPAL GOLF COURSE

NOTICE IS HEREBY GIVEN THAT pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of March, 1990, and in accordance with the provisions of the Eminent Domain Procedure Law of the State of New York, a Public Hearing will be held on the 16th day of April, 1990 at 7:00 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing any person in attendance shall have an opportunity to be heard, and at which time and place the Town Board may make its determination and findings concerning the acquisition of the following four privately-owned properties in the Reiters Road area of Cheektowaga, by the Town's power of eminent domain, for the purpose of constructing a municipal golf course.

1. Rectangular-shaped parcel of land having a frontage of 1,021.01 feet on the north side of Reiters Road, a depth of 635.25 feet on the east and west sides, and measuring 1,012.09 feet on the north side, comprising 14.83 ± acres (shown as Parcel "A" on map on file in Town Clerk's Office)

2. Rectangular-shaped parcel of land measuring 2,779.02 feet on the east side, 2,216.65 feet on the west side, 591.43 feet on the north side and 591.36 feet on the south side, comprising 40.19 ± acres and being 454.04 ± feet west of the terminus of Reiters Road (shown as Parcel "C" on map on file in Town Clerk's Office)

3. Triangular shaped parcel of land measuring 2,126.54 feet on the east side, 130.21 feet on the north side and 2,196.70 feet on the southwest side, comprising 11.51 ± acres, being east of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "D" on map on file in Town Clerk's Office)

4. A four-sided parcel of land measuring 2,519.55 feet on the east side, 2,221.11 feet on the west side, 199.60 ± feet on the north side and 982.85 feet on the south side, comprising 38.89 ± acres being west of the former Lehigh Valley Railroad and south of the West Shore Railroad line (shown as Parcel "F" on map on file in Town Clerk's Office).

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA ERIE COUNTY NEW YORK
RICHARD M. WOLESKI
TOWN CLERK
Dated: March 19, 1990

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that she/he is Principal Clerk of 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 5 times, the first insertion being on the 26th day of March 1990 and the last insertion being on the 30th day of March 1990

D. Eileen Perry

Dates Ad Ran: 3/26,27,28,29,30

orn to before me this 2nd day

April 19 90

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, 19 91

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

WHEREAS, bids were duly received by this Town Board at a bid opening on February 16th, 1990 for Planing and Texturizing Existing Pavement of Various Town of Cheektowaga Highways to varying widths and depths by the Town of Cheektowaga 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 Municipal Milling & Mix-in-Place, 9091 Erie Road, Angola, New York 14006, being the lowest responsible bidder meeting specifications, and BE IT FURTHER

RESOLVED that these expenses be charged to #03515000044458.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 5b Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, bids were duly received on February 20, 1990 as the result of advertisement, therefore, for the furnishing of modular office furniture and partitions for various departments, and

WHEREAS, the said bid proposals were referred to the Town Engineer for analysis, tabulation and report which tabulation and report is attached, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of modular office furniture and partitions as recommended by the Town Engineer is hereby awarded as follows:

DIVISION A - Partitions and Components

is hereby awarded to:

Macke Business Products
1100 Main Street
Buffalo, New York 14209

for the following item numbers, said bid being the lowest meeting the requirements of the specifications.

Item 1	Youth Department	$31,995.00
Item 2	Recreation Department	14,729.00
Item 3	Engineering Department	23,397.00
Item 4	Manpower Department	4,360.00
Item 5	Building & Plumbing Department	5,011.00
Item 6	Council Chambers	13,773.00
Item 7	Senior Citizens Center	2,131.00

DIVISION B - Furniture

Items 1, 4, 8, 9, 10, 11, 12, 12A, 13, 14, 16 and 17 in the total amount of $17,190.04 are hereby awarded to:

Macke Business Products
1100 Main Street
Buffalo, New York 14209

said bid being the lowest bid meeting the requirements of our specifications.

Item No. 5b cont'd

DIVISION B - Furniture

Items 2, 3, 5, 7 and 15 are hereby awarded to:

JLN Business Interiors
1451 Main Street
Buffalo, New York 14209

in the total amount of $2,611.39, said bid being the lowest bid meeting the requirements of our specifications

DIVISION B - Furniture

Item 6 is hereby awarded to:

Seneca Blue Print Co., Inc.
3360 Union Road
Cheektowaga, New York 14225

for their bid of $2,380.00, said bid being the lowest bid meeting the requirements of our specifications

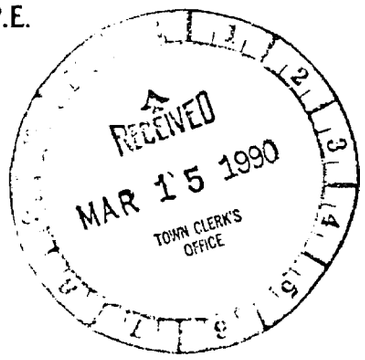
and BE IT FURTHER

RESOLVED that purchases for various departmental needs for Division A and Division B items shall be made on the basis of fund availability.

* See next two (2) pages for letter and tabulation

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

CHESTER L. BRYAN, P.E.
TOWN ENGINEER



Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

March 5, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

On Tuesday, February 20, 1990, bids were received and opened for the purchase of partitions and furniture for various departments. There were three (3) bidders. The bid tabulation is on the attached sheet.

A resolution is being submitted for Town Board approval to award the bid for office partitions to Macke Business Products for their bid which meets all requirements of the specifications.

For Division B, which is the furniture bid, the award is separated between all three (3) bidders for their submission of various individual items at the lowest bid price and meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dms
Enc.

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

WORKSTATIONS/PARTITIONS/OFFICE FURNITURE
VARIOUS DEPARTMENTS

	DIVISION A	J L N	MACKE	SENECA BLUE
		(Total Cost Including Installation)		
Item I	Youth Bureau	$30,225.60	$31,995.00	
2	Recreation	15,227.52	14,729.00	
3	Engineering	21,132.48	23,307.00	
4	Manpower	3,511.20	4,360.00	
5	Bldg & Plbg	4,228.80	5,011.00	
6	Council	14,445.60	13,773.00	
7	Sr. Citizens	1,246.00	2,131.00	
	Total	$90,017.20	$95,306.00	
	Delivery	60 days	28-56 days	
	Disc. given	52% off list	60% off list-panels 55% off list-filing	
	Future Instal.	3% list price	4% list price	
	Future Discounts	50, 51, 52, 53%	50, 52, 55% negot.	
	DIVISION B			
Item I	Conf. Chairs	$150.00	$ 85.00	
2	Conf. Table 8'	205.33	210.00	
3	Conf. Table 10'	265.88	277.00	
4	W.S. Chairs	169.18	322.00	
5	Vert. File Cabs.	210.84	220.00	
6	Drft. Tables	954.88	1306.00	$595.00
7	Work Tables	176.26	192.00	223.30
8	Desk, Cred, Bookcase	1725.20	2398.00	
9	Sec. Chairs	136.26	212.00	
10	Exec. Chair	281.89	278.00	
11	Conf. End Table	74.03	69.00	79.80
12	Conf. Mag. Table	92.98	87.00	100.80
12A	Office Mag. Table	213.13	260.00	
13	Clocks	62.67	55.00	59.50
14	Wastebaskets	27.83	16.63	21.00
15	Audio Visual Cab.	311.78	563.00	573.30
16	Message Board	337.13	197.00	220.50
17	Round Conf. Table	210.23	197.00	246.00

Item No. 5c Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, bids were duly received on March 12, 1990 as the result of advertisement, therefore, for the furnishing and installation of playground equipment for the Facilities Department. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated March 15, 1990, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing and installation of playground equipment be awarded to BDR, Inc., 3480 Benzing Road, Orchard Park, New York 14127 for submitting their bid in the amount of $14,744.00, said bid being the lowest and meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the funds are available in account #01-7110-0004-4463 for this purchase.

* See next two (2) pages for report

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

CHESTER L. BRYAN, P.E.
TOWN ENGINEER

RECEIVED
MAR 15 1990
TOWN CLERK'S OFFICE

Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

March 15, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

GENTLEMEN:

On Monday, March 12, 1990 bids were received and opened for the purchase of picnic shelters and playground equipment. There were six (6) bidders and the bid results are as follows:

	INSTALLED EQUIPMENT	
	Item I Shelter	Item II Playbooster 8916
BDR Inc.	$ 9,256.00	$14,744.00
Gleason Nursery	11,980.00	15,849.00
Johnstone Landscape	15,476.00	17,278.00
Miller Enterprises	15,995.00	-
Pollution Assessment Tech. Services	18,944.00	22,595.00

	PLAYGROUND EQUIPMENT ONLY Items III to XI
E.F. Schweitzer Company, Inc.	$27,831.00
Pollution Assessment Tech. Services	$35,480.00

The bids were reviewed by the Engineering Department. It is, therefore, recommended that the bid for the furnishing and installation of Item II be awarded to BDR, Inc., 3480 Benzing Road, Orchard Park, New York 14127 for their submission of the lowest bid meeting the requirements of the specifications in the amount of $14,744.00.

Item I for the furnishing and installation of picnic shelters will not be awarded. The Facilities Department can purchase the shelters and have them installed at a lower price than was bid.

Town Hall, Broadway & Union Road • Cheektowaga, New York 14227 • 716/686-3447 • 716/686-3448

Items III through XI will not be awarded at this time, as no funds are available for playground equipment.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

Item No. 5d Motion by Councilman Kulyk, Seconded by Councilman Solecki

WHEREAS, bids were duly received on March 12, 1990 as the result of advertisement, therefore, for the furnishing of traffic control signs, street name signs and brackets for the 1990 calendar year. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated March 13, 1990, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of traffic control signs, street name signs and brackets for the 1990 calendar year, per said unit prices, be awarded to the following:

Chemung Supply Corporation
Box 527
Elmira, New York 14902
(607) 733-5506

ITEM 1 - Square and Diamond Signs - Finished

	CLASS A
24" X 24"	$13.43
30" X 30"	20.98
36" X 36"	30.21
48" X 48"	53.71

ITEM 2 - Octagon Signs - Finished

	CLASS A
30" X 30"	$18.14
36" X 36"	28.19

ITEM 3 - Rectangle Signs - Finished

	CLASS A
12" X 18"	$ 5.04
18" X 24"	10.07
18" X 30"	12.59
24" X 30"	16.78
24" X 36"	20.14
30" X 36"	25.18
36" X 12"	10.07
36" X 48"	40.28

ITEM 4 - Triangle Signs - Finished

	CLASS A
36"	$14.51
48"	28.16

ITEM 5 - Street Name Signs - Finished

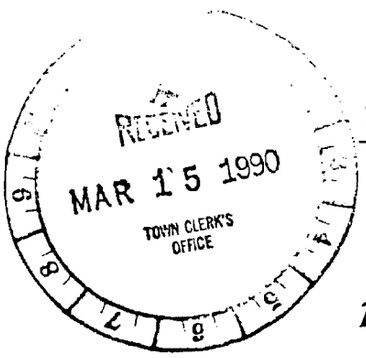
	CLASS A
24" X 8"	$12.69
30" X 8"	15.89
36" X 8"	19.04
42" X 8"	22.19
48" X 8"	25.39

ITEM 6 - Street Sign Brackets

2" Round Post - Ext/Flat	$ 3.89 set
2" Square Post - Ext/Flat	$ 4.19 set

* See next page for letter

CHESTER L. BRYAN, P.E.
TOWN ENGINEER



Growing In A New Direction

TOWN OF CHEEKTOWAGA
Erie County, New York

March 13, 1990

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control Signs, Street Name Signs and Brackets

Gentlemen:

On March 12, 1990, bids were received and publicly opened for the purchase of traffic control signs, street name signs and brackets for the Town of Cheektowaga for the 1990 calendar year. Two (2) bidders submitted bids which are as follows. One (1) additional bidder was rejected for submitting a bid after the bid opening.

BIDDER	CLASS A	CLASS B
Chemung Supply Corporation	$11,269.00	$22,756.50
Safe T. Sign Inc.	11,966.50*	19,351.50*
" "	11,968.25**	19,353.25**
Highway Signs & Paint Inc.	Bid Rejected	

* Extruded Brackets
** Flat Brackets

It is, therefore, recommended that the bid be awarded to Chemung Supply Corporation for Class A only, said bid being the lowest bid meeting the requirements of our specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

Item No. 5d cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6a Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the Town and its consultant have received and evaluated several proposals for its various Property Insurances to be effective March 30, 1990, NOW, THEREFORE, BE IT

RESOLVED that the Property (Building and Contents, Contractors and Data Processing Equipment, Voting Machines, Valuable Papers and Auto Fire) insurance be awarded to Clauss and Company and American Home Insurance Company for an annual cost of $39,540, and BE IT FURTHER

RESOLVED that the Boiler and Machinery insurance be awarded to Clauss and Company and Hartford Steam Boiler and Inspection Company for an annual cost of $3,060.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6b Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the Town and its consultant has received and evaluated proposals for Automobile Liability insurance and has determined potential benefits to self-insure its Auto Liability obligations, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga elects to self-insure its obligation to pay automobile liability and statutory no fault and uninsured motorists claims made against it and others it has a legal obligation to indemnify for such claims, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga will, be separate resolution:

1. Retain the services of SIS Services of New York to administer the Auto Liability claims, and

2. Transfer funds from unallocated insurance to the Risk Retention Fund to pay its claims and service costs.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6c Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, the Town now self-insures its General and other Liability risks of loss and elects to self-insure its obligation for Automobile Liability effective March 30, 1990, NOW, THEREFORE, BE IT

RESOLVED that the Town accepts the proposed renewal of the SIS Claims Service Agreement for administration of General, other Liability, and Automobile Liability claims for an annual cost of $23,000 effective March 30, 1990, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the above approved service agreement.

Item No. 6c cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 6d Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Workers Compensation coverage for the Jobs Training Partnership Act employees is not available from insurers providing other insurance to the Town, NOW, THEREFORE, BE IT

RESOLVED that an application for Workers Compensation insurance for the Jobs Training Partnership Act be prepared by our consultant and sent to the State Insurance Fund with a 300 deposit prior to April 1, 1990, and BE IT FURTHER

RESOLVED that the Supervisor be authorized to sign the State Fund Workers Compensation application.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7a Motion by Councilman Rogowski, Seconded by Supervisor Swiatek

WHEREAS, grant monies are available through the 1988 New York State Transportation Bond Act State Aid Local Bridge (SALB) Program to replace and rehabilitate existing bridge structures, and

WHEREAS, the Town is in need of financial assistance to replace the Ledyard Avenue bridge spanning Scajaquada Creek in the Village of Depew, and

WHEREAS, the Town has been advised that the Ledyard Street bridge is a high priority to receive financing for up to 80% of the cost of replacing the bridge; NOW, THEREFORE, BE IT

RESOLVED that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to enable the Town to apply for a grant from this program in an amount not to exceed 80% of the total project cost, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a grant application and any other documents in connection with such application.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7b Motion by Councilman Gabryszak, seconded by Supervisor Swiatek

WHEREAS, Federal grant monies are available through the Federal Domestic Volunteer Agency ACTION program for local organizations to conduct individualized drug abuse prevention education and assistance to low income children and youth in order to reduce their risk of using drugs, and

WHEREAS, the Town is in need of financial assistance to enhance drug abuse prevention education services offered to our community's youth; NOW, THEREFORE, BE IT

Item No. 7b cont'd

RESOLVED that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application forms, etc. to enable the Town, under the auspices of the Youth Bureau, to apply for a grant from this program in an amount not to exceed $10,000.00; and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a grant application and any other documents in connection with such application.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7c Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

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 19-25, 1990, and

WHEREAS, said 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 execute an appropriate agreement for such rental of said property at a cost of $1,400 and a meals cost not to exceed $62 per person, 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, and BE IT FURTHER

RESOLVED that the Cheektowaga Youth Bureau, as in the past, week reimbursement from any appropriate state and charitable sources, in addition to any camper fees to cover the necessary costs of said activity.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 7d Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

WHEREAS, by prior resolution, the Town Board had resolved to give certain employees of the rank of patrolman, captain and lieutenant certain monetary benefits, and

WHEREAS, it was the intent of said resolution to cover all police personnel employed by the Town, and

WHEREAS, it has now been brought to the Town Board's attention that by virtue of the wording of said resolution, certain police officers were unintentionally excluded from said provisions, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to enter into the attached Memorandum of Agreement with the Cheektowaga Police Club, Inc.

* See next page for copy of Memorandum of Agreement

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA POLICE CLUB, INC.

WHEREAS, the parties hereto are parties to a collective bargaining agreement covering the years January 1, 1989 through December 31, 1990, AND

WHEREAS, the parties were also parties to prior collective bargaining agreements, AND

WHEREAS, this Town Board has in the past, by resolution, granted certain patrolmen, captains and lieutenants with more than twenty-five (25) years of service, which resolution is intended to cover all Civil Service police officers employed by the Town, but excluded those officers serving in the ranks of sergeant and detective, NOW, THEREFORE

IT IS AGREED AS FOLLOWS:

(1.) That retroactive to January 1, 1986, Detective John Cyrankowski and Detective Edward Glinski shall receive an annual sum in the amount of $300.00, beginning with the calendar year following the calendar year in which 25 years of service was obtained. This payment shall be for the years 1986, 1987 and 1988 as applicable.

TOWN OF CHEEKTOWAGA

TOWN OF CHEEKTOWAGA
POLICE CLUB, INC.

Dated: 3-20-90

Item No. 7d cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

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

WHEREAS, hydrants must be installed in Phase III of the Losson Meadows Subdivision prior to acceptance of the water main extension 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 developer of the Losson Meadows Subdivision to install three (3) hydrants in Phase III at the locations approved by the Chief of Southline Fire District No. 10., Robert J. Wojcik, in his letter dated February 16, 1990 as follows:

(1) South side of Baywood Drive - Center of Sublot No. 68

(2) South side of Baywood Drive - Center of Sublot No. 60

(3) West side of Wedgewood Drive - Center of Sublot No. 52

and BE IT FURTHER

RESOLVED that all costs associated with furnishing and installing the subject hydrants 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 for the subject hydrants, with said charges being recovered by Town billing to the respective fire company.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

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

WHEREAS, Burgio & Campofelice, Inc., the developer of the Harlequin Book Distribution Center under construction in the Village of Depew, has submitted a Public Improvement Permit application, plans and specifications and permit fee for the construction of a 1450 L.F. sanitary sewer main extension in the Town's Sanitary Sewer District No. 7, and

WHEREAS, the Town Engineering Department and the New York State Department of Environmental Conservation have reviewed the plans and specifications and have approved of the design of the public sanitary sewer main extension, which also provides for the rehabilitation of 1200 L.F. of existing 12" sewer main and associated manholes, NOW, THEREFORE, BE IT

RESOLVED that the Public Improvement Permit be approved for the construction of the aforesaid sanitary sewer main extension and that the permit fee amounting to $2,029.50 be deposited in the Public Improvement Permit Account that was established for receipt and disbursement of Public Improvement Permit fees.

Item No. 9 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, section 120-aa of the General Municipal Law provides that all municipalities must adopt a law by September 1, 1992, requiring the source separation of recyclable materials; and

WHEREAS, the Northeast Communities Solid Waste Management Board (Northeast Board) has given long and careful consideration to the joint acquisition and development of a solid waste management or recycling facility; and

WHEREAS, a warehouse located at 3327 Walden Avenue, Depew, New York has been identified as the preferred location for a Northeast Board recycling facility; and said proposed use at such site has been reviewed in accordance with the requirements of the State Environmental Quality Review Act with the Village of Depew acting as lead agency; and

WHEREAS, the Erie County Industrial Development Agency (ECIDA) holds a purchase option on the aforesaid property; and

WHEREAS, before ECIDA will exercise its option to purchase the aforesaid property on behalf of the Northeast Board, it requires funding commitment from member municipalities; and

WHEREAS, the Town of Cheektowaga would be benefited by the acquisition and development of the aforesaid recycling facility,

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga hereby commits, and agrees to contribute, not less than $85,732.00, nor more than $120,025.00, from currently budgeted moneys for the purpose of acquiring and/or developing a recycling facility at 3327 Walden Avenue, Depew, New York; and BE IT FURTHER

RESOLVED that the aforesaid commitment will not be annulled, revoked or otherwise reduced; except that such commitment is contingent on sufficient funding commitments from other members of the Northeast Board, as well as the development of legally acceptable purchase and/or lease agreements between ECIDA and the Northeast Board.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Blachowski, Seconded by Councilman Kulyk

WHEREAS, the Town operates a housing rehabilitation program for eligible Town homeowners to make necessary repairs to their homes, and

WHEREAS, the Town has previously established loan limits of $10,000 for deferred loans and $12,000 for payback loans, and

WHEREAS, the Community Development Director has requested the Town Board to consider authorizing a deferred loan to the owner of the property listed below in the amount of not to exceed $17,000 due to the extent of the work required to bring the property into compliance with the Town's codes, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes a housing rehabilitation loan in the amount of not to exceed $17,000 to the owner of 38 Wildy Street, Cheektowaga, and authorizes the Supervisor to execute the loan documents and any other necessary documents with said property owner.

Item No. 11 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Supervisor Swiatek and, Seconded by Councilman Gabryszak Councilman Solecki

WHEREAS, as part of the State budget for 1990-91, Governor Cuomo has proposed levying fees on selected solid waste management facilities owned and operated by the private sector, and

WHEREAS, bills have been submitted to the State Senate (S.6939) and Assembly (A.9339) to assess such a fee on landfills, transfer stations, etc., and

WHEREAS, the Town of Cheektowaga has a waste disposal agreement with Occidental Chemical Corporation to dispose of Town-generated garbage at a private landfill, and

WHEREAS, such waste disposal agreement provides for a direct pass through of all environmental costs (including fees proposed by the State) to the town, and

WHEREAS, nearly $2 million, or 25% of the entire fees proposed by the Governor, would be paid by users of the Occidental Waste-to-Energy facility in Erie and Niagara County, and

WHEREAS, the proposed fee would impose a triple tax on those communities in Western New York whose waste is disposed of at private facilities, and

WHEREAS, the proposed State landfill tax would cost the Town $4.00-$5.00 per ton of solid waste, thus resulting in an additional annual cost to the Town of hundreds of thousands of dollars, and

WHEREAS, the proposed landfill tax would ultimately be paid by Town taxpayers, and

WHEREAS, this Town Board feels that the proposed landfill tax is unfair and burdensome to those who need to use of the services of a private landfill, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby voices its objection to and memorializes the State Legislature and Governor Cuomo to reject Senate Bill 6939 and Assembly Bill 9339 and to otherwise oppose a landfill tax, and BE IT FURTHER

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

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilman Kulyk, Seconded by Unanimous

WHEREAS, the Cheektowaga Community Symphony Orchestra is currently presenting its 30th consecutive season of great music in the Town of Cheektowaga, and

WHEREAS, throughout its history, hundreds of Town residents have had the opportunity to play in this fine organization, and thousands upon thousands of our citizens have enjoyed their many great performances, and

Item No. 13a cont'd

WHEREAS, under the guidance of Conductor and Music Director, Marylouise Nanna, the Cheektowaga Symphony has received critical acclaim as the finest community orchestra in Western New York, and

WHEREAS, the Cheektowaga Symphony has brought great pride to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Cheektwoaga Town Board wishes to commemorate the 30th anniversary of the Cheektowaga Community Symphony Orchestra by proclaiming the week of March 26th as "Cheektowaga Symphony Week" in the Town, and BE IT FURTHER

RESOLVED that the Town Board congratulate Maestra Marylouise Nanna, President Anna Zephro, the officers, directors and musicians of the Cheektowaga Symphony, for their tremendous accompOlishments and a job well done.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Blachowski, Seconded by Supervisor Swiatek

WHEREAS, volunteer firefirefighters provide a valuable service to this Town in saving lives and property, and

WHEREAS, such volunteer firefighters receive no compensation for their services, but are still willing to help others due to their strong sense of community responsibility, and

WHEREAS, without the assistance provided by volunteer firefighters, this Town would be compelled to provide fire protection services at a cost to the Town taxpayers, and

WHEREAS, volunteer fire companies throughout Erie County are presently experiencing a shortage of individuals willing to serve as volunteer firefighters, and

WHEREAS, in order to assist in the recruitment of firefighters, local fire companies are planning during the month of April, to set up information booths in area shopping centers, etc. to educate the public about the personal sense of reward of firefighters, and to otherwise recruit individuals willing to serve as volunteer firefighters, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby proclaims the month of April, 1990 as "Volunteer Firefighters Recruitment and Retention Month", and BE IT FURTHER

RESOLVED that this Town Board hereby encourages Cheektowaga residents to applaud our volunteer firefighters and to consider offering their services as volunteer firefighters.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Subdivision 5 of Section 467 of the Real Property Tax Law of the State of New York, prior to 1990, provided that persons eligible for sneior citizens property tax exemptions in Towns had to file the necessary forms on or before June 1st of each year in order to qualify for the succeeding tax year, and

WHEREAS, some persons were deemed ineligible if they do not become 65 years old prior to June, 1st even through they would become 65 years old prior to December 31st of such year, and

Item No. 14 cont'd

WHEREAS, Chapter 287 of the Laws of 1989 amended Section 467(5) of the Real Estate Law Law to allow municipalities to permit persons otherwise qualifying for a senior citizen property tax exemption to be approved for same if they become 65 years old before June 1st and before December 31st, of the same year, and

WHEREAS, this Board feels that the provisions of Chapter 287 of the Laws of 1989 are fair, NOW, THEREFORE, BE IT

RESOLVED that, effective immediately, this Town Board hereby declares that any person otherwise qualifying under Section 467 of the Real Property Tax Law shall not be denied the exemption under such section if he/she becomes 65 years of age after the June 1st taxable status date and before December 31st of the same year.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, Cleveland Hill Baseball, Inc. wishes to hold its annual Little League Parade and Opening Day Ceremonies on May 12, 1990 (Rain Date-May 19), and

WHEREAS, the parade will begin behind the Cleveland Hill Elementary School, proceed around the traffic circle to Mapleview, north on Merrymont, west on Cleveland Drive, south on Harlem Road, east on Homesgarth, and onto the Cleveland Hill football field, NOW, THEREFORE, BE IT

RESOLVED that Cleveland Hill Baseball, Inc. be and hereby is granted permission to conduct its Opening Day Parade on the above-stated route, and BE IT FURTHER

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is authorized to arrange for necessary traffic safety and escort service along the parade route and to insure compliance with the Vehicle & Traffic Law.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, there is a need for three (3) full-time positions of Cleaner, and

WHEREAS, the creation of said positions is pending approval of the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED that the three (3) positions of Cleaner be and hereby are created, and BE IT FURTHER

RESOLVED that such positions 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 Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, a vacancy exists in the Town's Facilities Department in the position of Maintenance Man, as a result of a retirement and promotion, and

WHEREAS, currently employed full-time personnel of the department have been canvassed for said opening, pursuant to Section 18.01(d) of the Town's agreement with the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED that Ronald Lease, , Depew, is hereby appointed to the position of Maintenance Man in the Facilities Department effective April 2, 1990.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 17b Motion by Councilman Blachowski, 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 the 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 listed below 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 immediately and until the subsequent reappointment for said Board positions on or about April 1, 1993:

Amedeo Duke
Richard Fitzgerald
James Antkowiak
Harry Sicherman
Lawrence Budzilo

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

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

WHEREAS, by Town Board resolution dated December 4, 1989, a Veterans Committee was created to assist veterans in this Town, and

WHEREAS, such resolution appointed five individuals to serve on such Veterans Committee and further provided that another seven members would be appointed by the Town Board, NOW, THEREFORE, BE IT

Item No. 17c cont'd

RESOLVED that the following individuals be and hereby are appointed to serve on the Veterans Committee:

Joseph Lipowski

Depew, New York 14043

Kenneth Blum

Cheektowaga, New York 14215

John Pawlowski

Depew, New York 14043

and BE IT FURTHER

RESOLVED that the term of such members of the Veterans Committee shall expire on December 4, 1990 and shall thereafter be for a period of one year.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

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

--Cheektowaga Conservation Corps - 01-7310-0001-1811
-Robert Off

--Adapted Recreation Program - 01-7310-0001-1803
-Louanne Balus

--Administrative Intern Program - 01-7310-0001-1804
-Jon Getz

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Solecki, Seconded by Councilman Kulyk

BE IT RESOLVED that the following individuals are hereby hired as seasonal employees in the Sanitation Department, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) consecutive weeks in a calendar year, effective immediately and at the hourly rate of $5.00 per hour:

Sheryl Wright
Christine Penner
Paul Pokorski

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20a Motion by Councilman Gabryszak, Seconded by Councilman Kulyk

WHEREAS, the salary resolution passed by the Town Board on January 15, 1990 contained an error in the amount of salary for the year 1990 for Recreation Attendants, NOW, THEREFORE, BE IT

RESOLVED that the salary for Recreation Attendants is corrected and established as set forth below:

Recreation Attendant - $8,444.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 20b Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

BE IT RESOLVED that the salary rates for the below listed individuals be adopted as follows, to reflect the new minimum wage law, effective April 1, 1990 (01-7310-0001-1803):

Program Coordinator - $7.30 per hour

Deborah Ann Fleetwood	14043

Assistant Program Coordinator - $6.30 per hour

Christine Phillips	14225

Activity Directors - $5.80 per hour

Paulette Mecca	14225
Bonnie Lynch	14043
David Imiola	14227

Senior Counselors - $4.60 per hour

Barbara Zielinski	14225
Paul Marchewka	14227
Robin Straker	14225
Kim Giczkowski	14043
Anne Priester	14225
Christy Male	14225

Counselor III - $4.10 per hour

Cindy Principato	14225
Kathy Miller	14227

Counselor II - $3.95 per hour

Denise Bogdan	14225
Colleen Schaub	14227
Lynda Diemert	14225

Counselor I - $3.80 per hour

Tracy Hoerner	14043
Karen Noworyta	14043

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 21a Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town is in the process of acquiring property for the construction of a municipal golf course in the Rehm Road area of Town, and

WHEREAS, negotiations for the purchase of four properties comprising a total of over 95 acres have been unsuccessful and the Town has initiated steps to condemn such land, and

WHEREAS, the law firm of Moot & Sprague, with attorneys and a paralegal specializing in the area of condemnation proceedings, NOW, THEREFORE, BE IT

RESOLVED that, as per the attached letter, Moot & Sprague be and hereby is retained by this Town Board to represent the Town's interests in the condemnation of the following referenced properties for the Cheektowaga Golf Course:

Property S.B.L. No.	Acreage	Owner
92.15-6-4	30.18±	Starlite Builders, Inc.
92.04-1-24	14.83±	Highpoint Development Co.
92.04-1-20	11.51±	Highpoint Development Co.
92.04-1-18	38.89±	Starlite Builders, Inc.

and BE IT FURTHER

RESOLVED that moneys for such services shall be appropriated from budget line item number 05-7140-8817-1100.

* *

MOTION BY COUNCILMAN SOLECKI, SECONDED BY COUNCILMAN GABRYSZAK TO AMEND THE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

the amended resolution is as follows:

* *

Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Town is in the process of acquiring property for the construction of a municipal golf course in the Rehm Road area of Town, and

WHEREAS, negotiations for the purchase of four properties comprising a total of over 95 acres have been unsuccessful and the Town has initiated steps to condemn such land, and

WHEREAS, the law firm of Moot & Sprague, with attorneys and a paralegal specializing in the area of condemnation proceedings, NOW, THEREFORE, BE IT

RESOLVED that, as per the attached letter, Moot & Sprague be and hereby is retained by this Town Board to represent the Town's interests in the condemnation of the following referenced properties for the Cheektowaga Golf Course:

Property S.B.L. No.	Acreage	Owner
92.15-6-4	30.18±	Starlite Builders, Inc.
92.04-1-24	14.83±	Highpoint Development Co.
92.04-1-20	11.51±	Highpoint Development Co.
92.04-1-18	38.89±	Starlite Builders, Inc.

and BE IT FURTHER

Item No. 21a cont'd

RESOLVED that moneys for such services shall be appropriated from budget line item number 05-7140-8817-1100, not to exceed $7500.00 without further approval of this Town Board.

* See next page for letter

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

MOOT & SPRAGUE
ATTORNEYS AT LAW
2300 EMPIRE TOWER
BUFFALO, NEW YORK 14202-3786
716-845-5200

WILLIAM R. BRENNAN
PARTNER

TELECOPIER
716-845-6286
716-855-2741

March 7, 1990

Town of Cheektowaga
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227

Attention: Mr. Dennis Gabryszak, Councilman

Dear Dennis:

Concerning your inquiry about handling a condemnation on behalf of the Town of Cheektowaga relative to the new Town Golf Course, I can give you the following information:

We have a "team" in our office, consisting of myself, Mark R. McNamara and Lisa M. Marzello, a paralegal, which has had a great deal of experience in this type of matter. If we are retained, we quote you the following professional fees:

William R. Brennan	$150.00 per hour
Mark R. McNamara	$120.00 per hour
Paralegal	$ 50.00 per hour

We would be very pleased to represent the Town of Cheektowaga in this matter. Judging from the names that appeared on the map which you left with us, as well as the names that came up in our conversation, I see no conflict with any of the property owners involved.

Very truly yours,

Wm R. Brennan

William R. Brennan

wrb/tdm

Item No. 21b Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, recycling of solid waste will become mandatory in New York State as a result of the passage of the Solid Waste Management Act of 1988, and

WHEREAS, to alleviate some of the concerns and answer some of the questions Town residents may have about recycling, the Town is proposing to hire a firm to prepare a video about recycling to be shown in area schools and other public areas, and

WHEREAS, the Market Creators, Inc. has submitted a proposal to prepare such a video for the Town at a cost not to exceed $20,000.00, and

WHEREAS, such a professional technical service does not have to be competitively bid, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby retains the services of The Market Creators, Inc. to prepare the aforementioned recycling video as per the attached agreement at a cost not to exceed $20,000.00, and BE IT FURTHER

RESOLVED that moneys for such video shall be appropriated from the Special Consolidated Garbage District budget line item number 15-8173-0004-4711.

* See next page(s) for agreement

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

THE MARKET CREATORS INC.

An Agreement

between the Town of Cheektowaga and The Market Creators, Inc., by which The Market Creators, Inc., will produce for the Town of Cheektowaga a video production, in three versions, each between twelve (12) and sixteen (16) minutes in length, on the subject of recycling awareness.

The parties, the Town of Cheektowaga and The Market Creators, Inc., further agree that:

1. The Town of Cheektowaga will have the right to use and distribute the "recycling video" to accomplish the purpose of the Town of Cheektowaga in causing its residents to become aware of the benefits of complying with present and future statutory requirements concerning waste management;

2. The Town of Cheektowaga will, through its elected officials, have the right to approve the script for the production before field production commences;

3. Members of the Board of the Town of Cheektowaga will make every reasonable effort to respond to The Market Creators, Inc., shooting schedule when their appearances are requested;

4. The Market Creators, Inc., Proposal Addendum: Recycling Awareness Video #1, dated February, 1990, is incorporated by reference into this agreement;

5. The Town of Cheektowaga will pay The Market Creators, Inc. the sum three thousand five hundred dollars ($3,500.00) upon acceptance of this agreement; the sum seven thousand five hundred dollars ($7,500.00) upon approval of the script; and the balance of the amount that will be owed will be paid on completion of the production. The total amount paid to The Market Creators, Inc., shall not exceed twenty thousand dollars ($20,000.00). The Market Creators, Inc. will notify the Town of Cheektowaga ten (10) days before the estimated date of completion.

For the Town of Cheektowaga: _____

Dated: 3-20-90

For The Market Creators, Inc.: Barbara Cutting, Pres.

Dated: 3/28/90

Item No. 22 Request State Legislature to adopt Home Rule Request regarding Retirement of Town Employee
This item was withdrawn and resubmitted for the meeting of April 2, 1990.

Item No. 23 Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

WHEREAS, the firm of Scaffidi & Moore Architects, P.C. has recommended acceptance of various changes in the scope of work under Phase I Construction at the Alexander Community Center, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes the various Change Orders as specified by Scaffidi & Moore Architects, P.C.:

Change Order #GC2

Louis Migliore Construction Co., Inc.
787 Military Road
Buffalo, New York 14217

Item #1 - Door No. 5 - Delete "B" label - deduct $ 50.00

Change Order H.V.A.C. #1

B.H. Refrigeration, Inc.
818 Elmwood Avenue
Buffalo, New York 14223

Item #1 - Alternate Bid No. 1 - Air Conditioning Unit #5 delete due to replacement under Phase II - deduct $1,664.00

Item #2 - Change pipe jacket at Auditorium from stainless steel to corrugated aluminum - deduct $ 500.00

Change Order E-1

Goodwin Electric Corp.
121 California Drive
Williamsville, New York 14221

Item #1 - Delete ten telepower poles - deduct $1,248.00

Item #2 - Delete relocating electric panel LP-5 - deduct $ 344.00

Item #3 - Delete new 150 AMP Breaker and reuse 125 AMP Breaker at RTU-2. Change unit disconnect to a 200 AMP fused at 125 AMP - add $ 30.00

Item #4 - Delete installation of new fluorescent fixtures at the south end of the second floor - deduct $1,661.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following transfers are hereby approved and made part hereof:

Item No. 24 cont'd

GENERAL FUND

FROM:	1410-04-4001	(Town Clerk-Office Supplies)	$ 198.00
	1910-04-4711	(Contingency)	28,130.00
	2625-0000	(Crime Forfeiture Revenue)	4,000.00
	2625-0000	(Crime Forfeiture Revenue)	499.90
	1220-01-1341	(Jr. Accountant)	29,169.00
	1220-01-1306	(Director of Finance)	39,101.00
TO:	1410-04-4431	(Equpment Maintenance-Town Clerk)	$ 198.00
	7110-04-4460	(Parks-Land Acq.)	28,130.00
	3120-04-4092	(Undercover Lease Vehicle)	4,000.00
	3120-04-4092	(Two Audio Cassette Recorders)	499.90
	1220-01-1340	(Accountant)	26,169.00
	1220-01-1308	(Chief Accountant)	39,101.00

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 19, 1990 are hereby approved and made a part hereof:

GENERAL FUND	$183,537.82
HIGHWAY FUND	139,678.00
CAPITAL FUND	108,332.17
TRUST & AGENCY FUND	10,734.75
HUD-CDBG FUND	5,944.52
PART TOWN FUND	2,760.50
RISK RETENTION FUND	32,847.73
STATE AHC HOME IMPROVEMENT FUND	1,052.00
HUD REHAB. FUND	21,883.00
SPECIAL DISTRICTS FUND	339,226.39
	9455,996.88

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Supervisor's Statement of Funds - December 1989
Received and Filed.

Item No. 27 Cheektowaga Planning Board - Minutes of February meeting
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 28 Summons & Complaint - Dorothy & Raymond Wasielewski vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; S.I.S. Services - Insurance Carrier
Received and Filed.

Item No. 29a Notice of Claim - Brian Padden vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Bruce Chamberlin, Chief of Police; S.I.S. Services - Insurance Carrier
Received and Filed.

Item No. 29b Notice of Claim - Anne Held vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; James Burst, Sewer Maintenance Foreman; S.I.S. Services - Insurance Carrier.
Received and Filed.

Item No. 29c Notice of Claim - James Schemansky vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; J.J. Naples - Insurance Carrier.
Received and Filed.

Item No. 29d Notice of Claim - Arthur Smith vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Superintendent; J.J. Naples - Insurance Carrier.
Received and Filed.

Item No. 29e Notice of Claim - Lawrence Jagord vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Ron Zoeller, Working Foreman in Sanitation - J.J. Naples - Insurance Carrier
Received and Filed.

Item No. 29f Notice of Claim - Thaddeus Wielgoszynski vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Pat Wojcik, Supervisor-Senior Services; S.I.S. Services - Insurance Carrier
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Kulyk, Seconded by Supervisor Swiatek
to suspend the rules to include the following three (3) items.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Solecki, Seconded by Councilman Kulyk

WHEREAS, the late Dr. Victor Reinstein donated the Reinstein Woods Nature Preserve located on Como Park Boulevard to the State of New York for use as a wildlife preserve, and

WHEREAS, the late Dr. Reinstein also donated moneys to the Town of Cheektowaga for the expansion of John C. Stiglmeier Park, and

WHEREAS, these two areas are located adjacent to each other in the Town of Cheektowaga and have an interwoven effect on each other in the preservation of wildlife, and

Item No. 30 cont'd

WHEREAS, this Board is interested in ensuring that such lands are properly used and that development of same not cause an adverse effect on wildlife, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorialize State Senator Dale Volker and Assemblyman Paul Tokasz to expedite the creation of a state-appointed permanent, bipartisan Stiglmeier Park/Reinstein Woods Planning and Review Committee that will strive for the development of a nature learning center and for preservation of wildlife within the aforementioned areas, and BE IT FURTHER

RESOLVED that this Town Board also requests that such committee be composed of at least two members from this Town Board, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Senator Dale Volker and Assemblyman Paul Tokasz.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 31 Motion by Councilman Kulyk, Seconded by Councilman Rogowski

WHEREAS, Blend-All Development, Inc. (the "Developer") applied to the Town of Cheektowaga for an environmental review of its request to construct a two-story, 100-room, 55,600 square foot hotel on 5.2 acres of land located at 901 Dick Road (the "Project") pursuant to the State Environmental Quality Review Act, and

WHEREAS, thereafter and on November 6, 1989, the Town Board determined that significant environmental effects relating to such project existed (a/k/a positive declaration) and that a Draft Environmental Impact Statement ("DEIS") for same must be prepared, and

WHEREAS, on January 3, 1990, the Developer submitted documentation to this Town Board stating that the environmental impacts the Town Board anticipated would not occur, and

WHEREAS, this Town Board agrees with the statements made in the January 3, 1990 document of the Developer and therefore wishes to rescind its positive declaration made at the November 6, 1989 Town Board meeting, and to issue a negative declaration instead, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby rescinds the positive declaration for the Project issued at the November 6, 1989 Town Board meeting, and BE IT FURTHER

RESOLVED that a negative declaration containing the following conditions be and hereby is issued for this Project:

1. A gate be provided on the eastern driveway connecting with Buell Avenue. This gate will remain locked and keys shall be provided to the appropriate emergency response agencies. The Developer shall allow only emergency vehicles to use such driveway/gate and no other vehicles shall be allowed ingress/egress to or from Buell Avenue from the Project site.

2. The Developer shall continue a "good faith" effort to acquire New York State DOT lands north of its property to provide an alternate entrance to Buell Avenue north of the proposed barricade site (provided such barricade is erected). The Developer shall continue to meet with the Town and the Town Environmental Advisory Committee to consider further traffic mitigative measures which

Item No. 31 cont'd

will serve hotel customers seeking access to major thoroughfares and the Airport, with the objective of discouraging and/or denying traffic on residential streets surrounding the site.

3. The site shall be developed as approved by the Town Planning Board and the Environmental Advisory Committee with detention ponds, berms along the south property line, and landscaping as per Planning Board specifications.

4. The Developer shall erect an eight-foot-high stockade fence (subject to approval of a variance for same by the Zoning Board of Appeals) along the southerly property line of the project site and the easterly property line of the project site.

5. The Developer will not engage in construction activity prior to 7:00 A.M. on weekdays and 9:00 A.M. on weekends. The Developer will maintain a water truck on the premises during site preparation and excavation to assist in dust control.

6. No construction vehicles will be permitted to use West Sobieski or Buell Avenue south of the Barricade site. Such vehicles will only be allowed to access the premises from Dick Road or Buell Avenue north of the barricade site.

and BE IT FURTHER

RESOLVED that the Town Board resolution dated March 5, 1990 relating to this Project be and hereby is rescinded, and BE IT FURTHER

RESOLVED that the Town Building Inspector prepare the necessary negative declaration as indicated above and file same with the DEC, interested and involved agencies, and the Developer.

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 32 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, Michael J. Desiderio has submitted a Draft Environmental Impact Statement (D.E.I.S.) on March 1, 1990, for his request to rezone and obtain a special permit for 13.9 acres of land known as 2911 William Street from RA-Apartment District to CM-General Commercial District for the construction of the Liberty Park Inn and Environmental Quality Review Act, and

WHEREAS, copies of this document were not made available to the Town Board until approximately March 12, 1990, and

WHEREAS, under Article 617.8(b)2 of S.E.Q.R. regulations, the Town Board has thirty (30) days to review the D.E.I.S. for adequacy, and can have an additional thirty (30) days to review such document if necessary, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board declares an extension of thirty (30) days to determine the adequacy of the D.E.I.S. submitted by Michael J. Desiderio, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, notify Michael J. Desiderio and other interested and involved agencies of this action.

Item No. 32 cont'd

Upon Roll Call....
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Councilman Solecki, Seconded by Councilman Blachowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk