

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of July, 1985 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: Supervisor Daniel E. Weber

Also present were: Barney Wojtkowiak, Deputy Supervisor; Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Al Thrun, Traffic Safety Commission; Casey Kozminski, Assessor; Ron Marten, Building and Plumbing Inspector; Leonard Smolarek, Chief of Police; Julia Reinstein, Town Historian; Sal LaGreca, Employment and Training Services Director II; Jim Matecki, Facilities Director; Donald Wegner, Chairman of Zoning Board of Appeals.

In the absence of Supervisor Daniel E. Weber, Deputy Supervisor Barney Wojtkowiak will preside over the meeting.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Ambulance Ordinance of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendment being as follows:

* * * * *

(a) Paragraph (1) of Section A-6 of the Ambulance Ordinance is hereby amended by deleting the existing text and adding the following sentence in lieu thereof:

"(1) Each applicant for a license as a driver/attendant shall submit to a criminal history investigation by the Cheektowaga Police Department to determine if the applicant meets the criteria established in Section A-13(a) and (b), and shall"...

(b) The caption of Section A-13 is hereby amended to insert the word "Denial" after the word "for" and before the word "Suspension" therein.

(c) Paragraphs (a) and (b) of Section A-13 are hereby renumbered Paragraphs (c) and (d), respectively of said Section A-13.

(d) A new Paragraph (a) and Paragraph (b) of Section A-13 is hereby added to read as follows:

A-13 Grounds for Denial, Suspension or Revocation of a License

(a) An application for a driver/attendant license shall be denied for any of the following reasons:

No. 14

No. 15

No. 16

No. 17

Item No. 2 cont'd

- (i) A conviction for any felony;
- (ii) A conviction for any crime (other than a traffic offense) within the preceding ten (10) years; or
- (iii) A conviction for an offense for the violation of laws relating to theft, sex offenses or drug sale or possession within the preceding ten (10) years.

(b) An application for a driver's license shall be denied for any of the following reasons:

(i) A conviction for Driving While Ability is Impaired (as defined in Section 1192-1 of the Vehicle and Traffic Law), or any comparable offense under the laws of another jurisdiction, within the preceding two (2) years; or

(ii) Any series of convictions for traffic offenses which indicate a pattern or disregard for traffic safety.

(c) Same as "(a)" in original Ordinance.

(d) Same as "(b)" in original Ordinance.

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

II. RESOLUTIONS

Item No. 3 Motion by Councilman Johnson , Seconded by Councilman Jaworowicz

WHEREAS, this Town Board duly held a public hearing on the 17th day of June, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

This this Town Board determine that it is in the public interest to adopt the following amendments to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
FOISSET AVENUE	North-South	MAPLEVIEW ROAD	Eastbound	S.W. Corner
FOISSET AVENUE	North-South	MAPLEVIEW ROAD	Westbound	N.E. Corner
GREGORY COURT	East-West	JEFFREY DRIVE	Northbound	S.E. Corner
GREGORY COURT	North-South	JEFFREY DRIVE	Westbound	N.E. Corner

Item No. 3 cont'd

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom:

C. No Parking here to corner

LEMOINE AVENUE east side: from south curb of Broadway to a point sixty (60) feet south of Broadway

ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie, State of New York shall be amended by deleting therefrom the following:

ELLCOTT CREEK ROAD - From Aero Drive to the Amherst Town Line

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

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....*Paula Miranda*..... of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*July 11, 1985*..... ;
last publication.....*July 11, 1985*..... ;
and that no more than six days intervened be-
tween publications.

.....*Paula Miranda*.....

Sworn to before me this*15th*.....

day of*July*....., 19*85*..

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

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

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

LEGAL NOTICE

**EXTRACTS FROM MINUTES
OF CHEEKTOWAGA
TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 1st day of July, 1985 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Councilmen:

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

ABSENT:

Supervisor:

Daniel E. Weber

Motion by Councilman Johnson
Seconded by Councilman
Jaworowicz

WHEREAS, this Town Board duly held a public hearing on the 17th day of June, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE VIII

Stop and Yield Intersections

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

Street: FOISSET AVENUE;

Direction: North-south; Entrance Street: MAPLEVIEW ROAD; Traffic Stops: Eastbound; Sign Location: S.W. Corner.

Street: FOISSET AVENUE; Direction: North-south; Entrance Street: MAPLEVIEW ROAD; Traffic Stops: Westbound; Sign Location: N.E. Corner.

Street: GREGORY COURT; Direction: East-west; Entrance Street: JEFFREY DRIVE; Traffic Stops: Northbound; Sign Location: S.E. Corner.

Street: GREGORY COURT; Direction: North-south; Entrance Street: JEFFREY DRIVE; Traffic Stops: Westbound; Sign Location: N.E. Corner.

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom:

C. No parking here to corner. LEMOINE AVENUE, east side: from south curb of Broadway to a point sixty (60) feet south of Broad-

ARTICLE XIII

Truck Exclusions

Section 131. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, County of Erie, State of New York shall be amended by deleting therefrom the following:

ELLCOTT CREEK ROAD, from Aero Drive to the Amherst Town Line.

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

Section 3. Territorial Application.

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

Section 4. Publication.

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

Upon roll call

Supervisor:

Weber Voting ABSENT

Councilmen:

- Johnson Voting AYE
- W.P. Rogowski Voting AYE
- J.V. Rogowski Voting AYE
- Jaworowicz Voting AYE
- Kowal Voting AYE
- Gabryszak Voting AYE

AYES: 6

NAYES: 0

ABSENT: 1

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 1, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 1st day of July, 1985.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: July 11, 1985

MEETING NO. 14
July 1, 1985

Item No. 4a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

BE IT RESOLVED that a public hearing on proposed amendments to the Traffic Ordinance of the Town of Cheektowaga be held on July 15, 1985 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on July 3, 1985, said amendments being set forth in the Notice of Hearing.

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on July 15, 1985 at 7:00 P.M. to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga; said proposed amendments being as follows:

ARTICLE VII

Turning Movements

Section 74. No right on red shall be amended by deleting therefrom the following:

A. Right turns by traffic from the west on Maryvale Drive at the entrance to Maryvale School

and by substituting in its place the following:

Section 74. No right on red

A. Right turns by traffic westbound on Maryvale Drive at the entrance to Maryvale School.

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
McPARLIN AVENUE	East-west	EDEN LANE	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime.

MARYVALE DRIVE South side: from a point 200 feet west of the west curblineline of Cayuga Road to the east curblineline of Union Road.

Section 102. Parking prohibited in designated locations shall be amended by adding thereto:

A. No parking this side of street

WOODGATE DRIVE east side from the north curblineline of LeHavre Drive to the south curblineline of Barbados Drive (southerly east-west segment)

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication..... *July 3, 1985* ;
last publication..... *July 3, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *8th*

day of *July*, 19 *85*

..... *Cecelia Westoven*

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

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

**LEGAL NOTICE
NOTICE OF HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on July 15th, 1985 at 7:00 P.M., to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga; said proposed amendments being as follows:

ARTICLE VII

Turning Movements

Section 74. No right on red shall be amended by deleting therefrom the following:

A. Right turns by traffic from the west on Maryvale Drive at the entrance to Maryvale School and by substituting in its place the following:

Section 74. No right on red.

A. Right turns by traffic westbound on Maryvale Drive at the entrance to Maryvale School.

ARTICLE VIII

Stop and Yield Intersections

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

Street: McPARLIN AVENUE;
Direction: East-west; Entrance
Street: EDEN LANE; Traffic
Stops: Southbound; Sign Location:
N.W. Corner.

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime.

MARYVALE DRIVE, south side: from a point 200 feet west of the west curbline of Cayuga Road to the east curbline of Union Road.

Section 102. Parking prohibited in designated locations shall be amended by adding thereto:

A. No parking this side of street:

WOODGATE DRIVE, east side: from the north curbline of LeHavre Drive to the south curbline of Barbados Drive (southerly east-west segment).

WOODGATE DRIVE, west side: from the north curbline of Barbados Drive (southerly east-west segment) to the south curbline of Barbados Drive (northerly east-west segment).

BARBADOS DRIVE, south, east and north sides: from the east curbline of Woodgate Drive to the east curbline of Philip Drive.

B. No parking anytime.

MARYVALE DRIVE, south side: from the west curbline of Cayuga Road to the east curbline of Union Road.

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

RICHARD M. MOLESKI

Town Clerk

DATED: July 1, 1985
PUBLISH: July 3, 1985

MEETING NO. 14
July 1, 1985

Item No. 4b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, 35 French Road Car Wash, Inc. has made application and requested the Rezoning from C-Retail Business District to CM-General Commercial District and a Special Use Permit for car wash and gas sales for property located at 35 French Road, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 15, 1985 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication July 3, 1985;
last publication July 3, 1985;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 8th

day of July, 1985

Cecelia Westoven

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

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 15th day of July 1985, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of 35 French Road Car Wash, Inc. to Rezone from C-Retail Business District to CM-General Commercial District on property located at 35 French Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 1141, Township 10, Range 7 of the Buffalo Creek Reservations, bounded and described as follows:

BEGINNING at the northeast corner of lands conveyed to SUN OIL COMPANY by Deed recorded in the Erie County Clerk's Office in Liber 7490 of Deeds, page 208; said corner being in the southerly line of French Road; thence easterly along the southerly line of French Road as described in Deed recorded in the Erie County Clerk's Office in Liber 7450 of Deeds at page 240, 189.38 feet to a monument thence easterly and continuing along said southerly line of French Road, 301.50 feet to a point; thence at right angles southerly; 78 feet to a point; thence southwesterly in a straight line; 974.98 feet to a point in the easterly line of Union Road; as widened (being the easterly line of Parcel 24) distant 127 feet southerly from the southerly line of land conveyed to Sun Oil Company; as aforesaid; thence northerly along said easterly line of Union Road; 127 feet to said southerly line of lands of the Sun Oil Company; thence easterly along the southerly line of the lands conveyed to the Sun Oil Company; 204.80 feet to the southeast corner of said lands; thence northerly along the easterly line of said lands; 248.30 feet to the point of beginning.

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: July 3, 1985

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....July 3, 1985.....;
last publication.....July 3, 1985.....;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this8th.....

day ofJuly....., 19..85..

.....Cecelia Westoven.....

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

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 15th day of July 1965, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of 35 French Road Car Wash, Inc. for a Special Permit to operate a car wash and gas sales on property located at 35 French Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 1141, Township 10, Range 7 of the Buffalo Creek Reservations, bounded and described as follows:

BEGINNING at the northeast corner of lands conveyed to SUN OIL COMPANY by Deed recorded in the Erie County Clerk's Office in Liber 7490 of Deeds, page 208; said corner being in the southerly line of French Road; thence easterly along the southerly line of French Road as described in Deed recorded in the Erie County Clerk's Office in Liber 7450 of Deeds at page 240, 189.38 feet to a monument thence easterly and continuing along said southerly line of French Road, 301.50 feet to a point; thence at right angles southerly; 78 feet to a point; thence southwesterly in a straight line; 974.98 feet to a point in the easterly line of Union Road; as widened (being the easterly line of Parcel 24) distant 127 feet southerly from the southerly line of land conveyed to Sun Oil Company; as aforesaid; thence northerly along said easterly line of Union Road, 127 feet to said southerly line of lands of the Sun Oil Company; thence easterly along the southerly line of the lands conveyed to the Sun Oil Company; 204.80 feet to the southeast corner of said lands; thence northerly along the easterly line of said lands; 248.30 feet to the point of beginning.

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: July 3, 1965

MEETING NO. 14
July 1, 1985

Item No. 5 Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening on June 17, 1985 for the construction of new sidewalks anywhere in Town and the replacement of existing sidewalks in the Walden Avenue area between the Buffalo City Line and Harlem Road and any other areas of the Town, and

WHEREAS, said bids were reviewed and tabulated by the Engineering Department and said analysis, tabulation and report was submitted in the letter from the Town Engineer to the Town Board dated June 27, 1985, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of sidewalks including incidental piping and landscaping be and hereby is awarded to:

Campobello Construction Company, Inc.
264 Hoyt Street
Buffalo, New York 14213

for their submission of the lowest responsible bid total of \$33,245.00 with the award being made at the following unit prices:

ITEM 1	4" thick sidewalk	\$ 1.64/sq. ft.
ITEM 2	6" thick sidewalk	\$ 2.00/sq. ft.
ITEM 3	Excess fill or excavation	\$ 13.50/cu. yd.
ITEM 4	4" diameter P.V.C. underdrain	\$ 1.50/lin. ft.
ITEM 5	6" sidewalk reinforced 6 X 6 X 10 mesh	\$ 2.10/sq. ft.
ITEM 6	Landscaping beyond Item 1	\$ 2.90/sq. yd.
ITEM 7	Fine asphalt mix beyond Item 1	\$ 11.25/sq. yd.
ITEM 8	6" reinforced driveway apron	\$ 2.20/sq. yd.
ITEM 9	Traffic control	\$550.00

and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, sign the agreement with said contractor for the construction of the Walden Avenue area sidewalks and the related work, and BE IT FURTHER

RESOLVED that funding for this work is to be made under the Community Development Block Grant Program and any other funds as appropriated.

Upon Roll Call....

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

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

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Two 3/4 ton Crew Cab Pick-Up Trucks, to be delivered within 30 days of acceptance of this bid, for use by the Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday thru Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on July 15, 1985 in the Council Chambers of the Cheektowaga Town Hall.

MEETING NO. 14
July 1, 1985

Item No. 6 cont'd

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT hereby requires sealed bids for the purchase of Two 3/4 ton Crew Cab Pickup Trucks, delivery date to be within 30 days of bid acceptance.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening, July 15, 1985 at 11:00 a.m. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked with the following "SEALED BIDS FOR TWO 3/4 TON CREW CAB PICKUP TRUCKS", for the Town of Cheektowaga Highway Department.

The Town of Cheektowaga reserves the right to reject any or all bids, or choose to purchase only one at the present time, if it be in the public interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids, also to include the name and address of the bidder.

RICHARD M. MOLESKI
Town Clerk

DATED: July 1, 1985

PUBLISHED: July 3, 1985

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication.....July 3, 1985.....;
last publication.....July 3, 1985.....;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this8th.....

day ofJuly....., 1985.....

.....Cecelia Westoven.....

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

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

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA
HIGHWAY DEPARTMENT
THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT** hereby requires sealed bids for the purchase of two 3/4 ton Crew Cab Pickup Trucks, delivery date to be within 30 days of bid acceptance.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of opening, July 15th, 1985 at 11:00 a.m. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked with the following "SEALED BIDS FOR TWO 3/4 TON CREW CAB PICKUP TRUCKS," for the Town of Cheektowaga Highway Department.

The Town of Cheektowaga reserves the right to reject any or all bids, or choose to purchase only one at the present time, if it be in the public interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids, also to include the name and address of the bidder.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: July 3, 1985

MEETING NO. 14
July 1, 1985

Item No. 7 Authorization for Supervisor to execute Memorandum of Agreement re:
Cheektowaga Supervisory Unit.
This item was withdrawn.

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

WHEREAS, The Town of Cheektowaga is desirous of clarifying wording found in Section 15.02 of the Agreement June 3, 1985 between the Town of Cheektowaga and the Cheektowaga Police Club, Inc., and

WHEREAS, the President of the Cheektowaga Police Club, Inc. has agreed to execute and has executed a Memorandum of Agreement in order to clarify the wording in Section 15.02 of such Agreement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor or, in the absence of the Supervisor, the Deputy Supervisor, be and hereby is authorized and directed to execute the attached Memorandum of Agreement between the Town of Cheektowaga and the Cheektowaga Police Club, Inc., on behalf of the Town.

* See next page for signed Memorandum of Agreement.

Upon Roll Call....

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

MEMORANDUM OF AGREEMENT
BETWEEN
THE TOWN OF CHEEKTOWAGA
AND
THE CHEEKTOWAGA POLICE CLUB, INC.

RECEIVED
1985 JUL -9 AM 11:55
CHEEKTOWAGA
TOWN CLERK

It is agreed and understood between and by the Town and the Club that the second last paragraph of Section 15.02 of the Agreement entered into between the Town of Cheektowaga and the Cheektowaga Police Club on the 3rd day of June, 1985 pertaining to the provisions of health insurance benefits to those members of the Club who have retired and reached age 55 shall be read as if the last line of such paragraph states "other retired Town employees."

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed each by its authorized official this 3rd day of July, 1985.

TOWN OF CHEEKTOWAGA

CHEEKTOWAGA POLICE CLUB, INC.

Bernard J. Wojtkowiak
Supervisor *Rep. Supervisor*

Stanley G. Keller
President

MEETING NO. 14
July 1, 1985

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

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

WHEREAS, H.O.M. Development Corporation, the developer of the Greenwood Village Subdivision, has submitted the required Public Improvement Permit Application, plans and specifications, and permit fee for improvements to be constructed within the subdivision, NOW, THEREFORE, BE IT

RESOLVED that this Public Improvement Permit be approved for the Greenwood Village Subdivision, and BE IT FURTHER

RESOLVED that the Public Improvement Permit fee be utilized to cover the cost of inspection services for this subdivision to be performed by Pratt & Huth Associates as approved by this Town Board by resolution dated June 17, 1985, and BE IT FURTHER

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

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

Item No. 10 Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, by resolution dated November 7, 1983, this Town Board awarded the contract for Cedargrove Heights Improvements, Stage II, Phase IV to Castricone Contractors, Inc., and

WHEREAS, by resolution dated April 15, 1985 this Town Board terminated Castricone Contractors, Inc. from the Cedargrove Heights Improvements Project, Stage II, Phase IV for due cause, and called upon the surety for Castricone Contractors, Inc., Union Indemnity Insurance Company of New York, to complete such project, and

WHEREAS, the Attorney General of the State of New York has, by Order to Show Cause, initiated proceedings to liquidate the assets of Union Indemnity Insurance Company of New York, and

WHEREAS, this Town Board is desirous of withdrawing its request for Union Indemnity Insurance Company of New York to complete the aforesaid project and will complete such project on its own, as is permissible under its agreement with Castricone Contractors, Inc., NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby withdraws its request that Union Indemnity Insurance Company complete the Cedargrove Heights Improvement Project, Stage II, Phase IV, and BE IT FURTHER

RESOLVED that the Town shall take control of such project and complete same in a manner it so deems desirable, and BE IT FURTHER

RESOLVED that this Town Board shall hold Union Indemnity Insurance Company of New York and Castricone Contractors, Inc. responsible for any costs or damages incurred in the completion of such project should the cost thereof exceed the amount remaining in the project account, and BE IT FURTHER

RESOLVED that the Town Attorney forward copies of this resolution to Union Indemnity Insurance Company of New York and Castricone Contractors, Inc.

MEETING NO. 14
July 1, 1985

Item No. 10 cont'd

Upon Roll Call....

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

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

WHEREAS, this Town Board entered into an agreement with the New York State Department of Transportation for the construction and Improvement of the deficient Rein Road Bridge, and

WHEREAS, in the New York State Department of Transportation's letter of June 18, 1985 to the Supervisor, authorization was granted to the Town to proceed with the design and bidding of said Rein Road Bridge Renovation Work, NOW, THEREFORE, BE IT

RESOLVED that Alternative #2 of the proposal of Nussbaumer & Clarke, Inc., dated June 13, 1985 to the Town Engineer, be and hereby is accepted, and BE IT FURTHER

RESOLVED that this resolution shall constitute authorization for Nussbaumer & Clarke, Inc. to proceed with the design work for said Rein Road Bridge.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, the Town of Cheektowaga currently has a franchise agreement with International Cable for the provision of cable television service within the Town, and

WHEREAS, such franchise agreement does not require International Cable to grant discounts to senior citizen subscribers within the Town limits, and

WHEREAS, senior citizens within the Town have requested International Cable to grant them discounts on cable television services, and

WHEREAS, International Cable has not only denied such requests, but has also increased its rates for cable television services for all its subscribers in the Town, and

WHEREAS, this Town Board feels that International Cable should grant cable television rate discounts to senior citizens in the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally requests International Cable to grant senior citizens, residing in the Town, discounts on all cable television services, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Mr. William A. Chain, Vice-President and General Manager of International Cable, 789 Indian Church Road, West Seneca, New York 14224.

THIS RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN KOWAL, AND THE VOTING ON THE AMENDMENT WAS AS FOLLOWS:

MEETING NO. 14

July 1, 1985

Item No. 12 cont'd

Upon Roll Call....

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

Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, the Town of Cheektowaga currently has a franchise agreement with International Cable for the provision of cable television service within the Town, and

WHEREAS, such franchise agreement does not require International Cable to grant discounts to senior citizen subscribers within the Town limits, and

WHEREAS, senior citizens within the Town have requested International Cable to grant them discounts on cable television services, and

WHEREAS, International Cable has not only denied such requests, but has also increased its rates for cable television services for all its subscribers in the Town, and

WHEREAS, this Town Board feels that International Cable should grant cable television rate discounts to senior citizens in the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally requests International Cable to grant senior citizens, those who are disabled and those on fixed incomes residing in the Town, discounts on all cable television services, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Mr. William A. Chain, Vice-President and General Manager of International Cable, 789 Indian Church Road, West Seneca, New York 14224.

Upon Roll Call....

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

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

WHEREAS, representatives from 7-Eleven Food Stores, 15 Industrial Parkway, Cheektowaga, New York have requested permission to use four softball diamonds in the Town of Cheektowaga on August 30, 31, September 1, 2, 1985 to benefit the fight against Muscular Dystrophy, and

WHEREAS, this Town Board recognizes the significant contribution that the 7-Eleven Food Stores has made for the Annual Muscular Dystrophy Association Labor Day Telethon, and

WHEREAS, surrounding communities have agreed to provide softball diamonds to accommodate nearly 200 teams anticipated for this tournament, and

WHEREAS, the organizers of this tournament have agreed to submit a Certificate of Insurance to insure: General Liability to include Bodily Injury Liability in the amount of \$500,000 each occurrence and Property Liability in the amount of \$100,000 each occurrence, NOW, THEREFORE, BE IT

RESOLVED that the organizers of the 7-Eleven Food Stores Men's Softball Tournament to be held on the above mentioned dates be given permission to use four softball diamonds, and BE IT FURTHER

MEETING NO. 14

July 1, 1985

Item No. 13 cont'd

RESOLVED that the customary fee of \$100 for such tournament be waived for the above mentioned tournament, and BE IT FURTHER

RESOLVED that the Director of the Recreation Department be and hereby is directed to assist the organizers of the said tournament in scheduling the four softball diamonds, and BE IT FURTHER

RESOLVED that the Director of the Facilities Department be and hereby is directed to prepare and maintain the four softball diamonds of said tournament, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of the resolution to Daniel M. Fialkowski, Support Services Manager, 7-Eleven Food Stores, 15 Industrial Parkway, Cheektowaga, New York 14227.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

Item No. 14 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Board of Fire Commissioners of Hy-View Fire District No. 8 have requested the installation of an additional fire hydrant at #215 Meadowlawn Road, which fire hydrant will be situated within a Town Highway Right-of-Way, and

WHEREAS, this Town Board believes that an additional fire hydrant on Meadowlawn Road in front of #215 Meadowlawn Road is needed, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally requests the Erie County Water Authority to install an additional fire hydrant on Meadowlawn Road in front of #215 Meadowlawn Road, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Erie County Water Authority.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

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

WHEREAS, Evelyn Renzi is a Police Attendant for the Town of Cheektowaga, and

WHEREAS, due to the leave of absence granted to the other Police Attendant, Mrs. Renzi has had to work twice as many hours as is normal for her, for the months of May and June, and

WHEREAS, Mrs. Renzi has received no additional compensation for her increased duties and longer hours, and

WHEREAS, this Town Board feels that Mrs. Renzi should be given extra compensation for the additional hours she has had to work for May and June, 1985, NOW, THEREFORE, BE IT

MEETING NO. 14
July 1, 1985

Item No. 15 cont'd

RESOLVED that Evelyn Renzi be paid an additional salary of \$400.00 for the additional hours she worked as Police Attendant for the months of May and June, 1985, and BE IT FURTHER

RESOLVED that the additional salary of Mrs. Renzi be paid out of the Police Department budget, line item number 3120.1581.

Upon Roll Call....

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

Item No. 16 Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, the New York State Assessors' Association is conducting a seminar in Appraising for Assessors at the Cornell University, Ithaca, New York on August 4, 1985 thru August 9, 1985, and

WHEREAS, said seminar is mandated by the New York State Division of Equalization and Assessment for Assessors, and

WHEREAS, said seminar is given at no cost to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Assessor, Casimir A. Kozminski be and hereby is authorized to attend said Seminar on August 4, 1985 thru August 9, 1985 and shall continue to receive his regular salary from the Town during such seminar.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, there is need for two (2) Motor Equipment Operators, Class "A", in the Sewer Maintenance Department, and

WHEREAS, the opening was properly posted for a period of ten (10) working days as per the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, bids for this vacancy have been properly reviewed, NOW, THEREFORE, BE IT

RESOLVED that the two (2) most senior applicants, namely; Daniel Andrejewski and Robert Czubaj, are hired on a probationary basis in order to demonstrate their ability to operate all Sewer Maintenance Department equipment in a safe, efficient manner after undergoing a training period starting June 28, and BE IT FURTHER

RESOLVED that said Daniel Andrejewski and Robert Czubaj will be considered for permanent positions of MEO "A" Operators after evaluation of their abilities in time for the next Town Board meeting.

THIS RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN W. ROGOWSKI, VOTING ON THE AMENDMENT WAS AS FOLLOWS:

MEETING NO. 14
July 1, 1985

Item No. 17 cont'd

Upon Roll Call....

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

Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, there is need for two (2) Motor Equipment Operators, Class "A", in the Sewer Maintenance Department, and

WHEREAS, the opening was properly posted for a period of ten (10) working days as per the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, bids for this vacancy have been properly reviewed, NOW, THEREFORE, BE IT

RESOLVED that the most senior applicant, namely; Robert Czubaj, is hired on a probationary basis in order to demonstrate his ability to operate all Sewer Maintenance Department equipment in a safe, efficient manner after undergoing a training period starting June 28, and BE IT FURTHER

RESOLVED that Robert Czubaj will be considered for the permanent position of MEO "A" Operator after evaluation of his abilities in time for the next Town Board meeting.

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals, hired as Seasonal Employees in the Sewer Maintenance Department, be and hereby are terminated effective immediately:

Paul Hockwater,	, Cheektowaga, N.Y.
Richard Majtyka,	Cheektowaga, N.Y.
Richard Pagano,	, Depew, N.Y.
Todd Meyers,	, Cheektowaga, N.Y.
Eugene Pierce,	, Cheektowaga, N.Y.

Upon Roll Call....

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

Item No. 18b Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001

Richard Coffta
Douglas Dixon
John Kochel
James Domin

Effective
7/20/85
7/20/85
7/20/85
6/20/85

MEETING NO. 14
July 1, 1985

Item No. 18b cont'd

Bldg. Mtce. Division - #01-001625-1-0-1491-001

Josephine Ratajczak

Effective
7/20/85

Bldg. Mtce. Division - #01-001615-1-0-1391-001

Linda Ruhland

7/20/85

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

Motion by Councilman Johnson, Seconded by Councilman Kowal
to dispense with the reading of the names.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

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

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

CENTRAL GARAGE - \$3.10 per hour

Mark Cartenuto
Leon Gorkiewicz

Effective
Immediately
Immediately

MAIN PUMP STATION - \$3.10 per hour

Andy Sedor
Deanna McGuire
Mark Angrisano
Todd Brudz
David K. Kumps
Gregory Jurkowski

Immediately
Immediately
Immediately
Immediately
Immediately
Immediately

TOWN CLERK'S OFFICE - \$3.10 per hour

Lura Mazurowski

Immediately

SANITATION DEPARTMENT - \$3.10 per hour

Jerry Majka
Michael Bratek
Robert Kapron, Jr.
Richard Wdowik

Immediately
6/25/85
Immediately
Immediately

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

MEETING NO. 14
July 1, 1985

Item No. 19b Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department as listed below:

BEACH & POOL (7110.1623) - \$5.00 per hour

Walter Gardon

Effective
retroactive to
6/24/85

STREET LIGHTING DIVISION - #02-905182-1-0-1492-001 - \$3.10 per hour

Joseph F. Trzaska

retroactive to
6/21/85

PARKS DIVISION - #01-007110-1-0-1491-001 - \$3.10 per hour

Robert Germann

retroactive to
6/27/85

Upon Roll Call....

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

Item No. 19c Motion by Councilman W. Rogowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individual be hired as a Clerk in the Administrative Intern Program at a salary rate of \$3.35 per hour (7310.1804):

Eileen Nowak

and BE IT FURTHER

RESOLVED that the following individuals be terminated from the Day Camp for Developmentally Disabled Youth (7310.1803):

Carl Vella
Lisa Dombrowski

and BE IT FURTHER

RESOLVED that the following individuals be hired as Counselors for the Day Camp for Developmentally Disabled Youth at a salary rate of \$3.50 per hour (7310.1803), effective July 1, 1985:

Denise Krause
Lorene Piotroski
Lynn Bogdan
Kevin Niederpruen

and BE IT FURTHER

RESOLVED that Tom Sinica, previously hired as a SENIOR COUNSELOR for the Day Camp for Developmentally Disabled Youth, be elevated to the position of PHYSICAL EDUCATION DIRECTOR at the salary rate of \$5.00 per hour (7310.1803), and BE IT FURTHER

RESOLVED that the following individuals previously hired for the Cheektowaga Conservation Corps Program be terminated:

Summer Trainee - \$3.10 per hour (7310.1812)

James Zientek

MEETING NO. 14
July 1, 1985

Item No. 19c cont'd

ALTERNATES - \$3.10 per hour (7310.1812)

Bill Lynch
Kimberly Jagodzinski

and BE IT FURTHER

RESOLVED that the following individuals be hired for the Cheektowaga Conservation Corps Program:

Alternates - \$3.10 per hour (7310.1812)

Christopher Witkowski
Keith Nawotka
Jacqueline Lukowski

Upon Roll Call....

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

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

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1985 summer programs:

LIFEGUARD - \$3.50 with WSI - - \$3.35 without WSI - A7180.1903

Melinda Heath
Scott Pleban

RECREATION ATTENDANT ALTERNATES - \$3.10 per hour - A7140.1614

Bob Igoe
Jackie Lukowski
Michelle Ciancio
Kevin Trietley

and BE IT FURTHER

RESOLVED that the following be transferred:

From Basket Checker A7180.1901 to Recreation Attendant A7140.1614

Kevin Chmura

From Basket Checker A7180.1901 to Lifeguard A7180.1903

Douglas Kenjockety

From Community Center Supervisor A7140.1612 to Playground Supervisor A7140.1613

Sharon Kensy

From Cultural Center Supervisor A7140.1614 to Arts & Crafts Supervisor A7140.1613

Samuel Burgio

Upon Roll Call....

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

MEETING NO. 14
July 1, 1985

Motion by Councilman Johnson, Seconded by Councilman Jaworowicz to dispense with the reading of the names.

Upon Roll Call....

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

Item No. 19e Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, funds are presently available under the Buffalo-Cheektowaga Tonawanda Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Program starts on July 1st, 1985 with participants working a maximum of 32 hours per week at \$3.35 per hour, NOW, THEREFORE, BE IT

RESOLVED that the following persons will be hired based on fund availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Cooley, Dawn
Dungan, Robert
Hoffarth, Carol
Kornecki, Kathy
Kuras, Mark
Lewis, Stephen
Neuner, Mary
Pilbrow, Sandy
Riley, Shane
Saluzzo, Thomas
Thomas, Nicolas

DeFries, Carrie Lynn
DeStafano, John
Casey, Wayne
Marks, Suzette
Olgiati, Denise
Sarago, Joseph

SUMMER YOUTH STAFF - with a starting date of June 24, 1985

Advisor at \$5.00 per hour
Masters, Michael

14225

Monitor at \$5.85 per hour
Caruso, Susan

14225

Upon Roll Call....

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

Item No. 20a Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located South of 62 Colton Street, (vacant lot), Cheektowaga, New York, SBL #112.67-4-16 and according to the Assessors' Office is owned by Walter Kajtoch, , Buffalo, New York 14206, and

MEETING NO. 14
July 1, 1985

Item No. 20a cont'd

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located between 51 and 69 Concord Drive, Cheektowaga, New York, SBL #80.70-2-19, SBL #80-70-2-20, SBL #80.70-2-21, and SBL #80.70-2-22 and according to the Assessors' Office is owned by Eleanor Tepe, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20c Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear of property at 3466 Genesee Street, Cheektowaga, New York, SBL #91.16-1-20 and according to the Assessors' Office is owned by Alfred Doro, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

MEETING NO. 14
July 1, 1985

Item No. 20d Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on the East and West corner of French Road and Lordan Drive, Cheektowaga, New York, SBL #125.09-11-1, and SBL #125.09-11-3 and according to the Assessors' Office is owned by Daniel H. Nawrocki,
Cheektowaga, New York 14227, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20e Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located between 251 and 265 Pine Ridge Road 768 feet North of Wildy Street, Cheektowaga, New York, SBL #101.44-4-16 and according to the Assessors' Office is owned by Florence Chojnacki,
Depew, New York 14043, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the high weeds and accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20f Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on the West corner of French Road and Towers Boulevard, Cheektowaga, New York, SBL #125.10-1-33, and

WHEREAS, these conditions require that some positive steps taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

MEETING NO. 14
July 1, 1985

Item No. 20f cont'd

Upon Roll Call....

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

Item No. 21 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

BE IT RESOLVED that Spring Creek Construction Corporation be and hereby is authorized to furnish the necessary labor, equipment and materials to install an overhead fed, Town supplied, aluminum light standard on Veterans Place at the cost of \$360.00, in accordance with the attached proposal which is hereby made a part of this resolution, chargeable to the General Lighting District, and BE IT FURTHER

RESOLVED that upon completion of the standard installation, New York State Electric & Gas Corporation be and hereby is authorized to install one (1) 5200 lumen high pressure sodium fixture on Veterans Place for an annual increase in the General Lighting District of \$86.50, in accordance with the attached proposal which is hereby made a part of this resolution, and BE IT FURTHER

RESOLVED that the standard and arm shall be owned and maintained by the Town of Cheektowaga.

* See next pages for proposal

Upon Roll Call....

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



May 31, 1985

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Vererans Drive

Install 1 - 5200 lumen HPS lamp @ \$86.50 ea. ----- \$ 86.50.
(P-8-1, L-1597)

Total Annual Increase ----- \$ 86.50

(see attached sketch)

Town of Cheektowaga to supply, install, own, and maintain 30-ft.
aluminum standard

NYSEG to install overhead conductors and fixture



- 7000 EXISTING STREET LIGHTS
- EXISTING WOOD POLE
- 5200 PROPOSED STREET LIGHT
- PROPOSED TOWN OWNED ALUM STD.

DRIVEWAY

1597 LINE
8-1

FREDERICK

7000 ○ 8
L157



VETERANS DR

NANDALE
7000 ○

TOWN OF CHEKTOWAGA

PROPOSAL

PAGE _____ OF _____ PAGES

Spring Creek Construction Corp.

1327 County Line Road
Alden, New York 14004

Phone 937-7741

Bill Pugh, Engineering Dept.

To Town of Cheektowaga Date 6/25/85

Address Broadway & Union Road Phone _____
Cheektowaga, New York 14227

Job name and/or location Mandale and Veterans Place

SPECIFICATIONS

Pickup and set aluminum standard.

In accordance with the above specifications, we hereby propose to furnish labor and materials for the sum of \$360.00 dollars

(\$ 360.00)

NOTE: We reserve the right to withdraw this proposal if not accepted within _____ days.

Authorized Signature *Robert H. Orsborn*

Acceptance Signature _____

Date: _____ Signature _____

MEETING NO. 14
July 1, 1985

Item No. 22 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the lands adjacent to Ellicott Creek have suffered serious flooding, and

WHEREAS, funds provided by the Federal Government to clear debris from the recent flood have been exhausted, and

WHEREAS, additional funds are needed to continue the debris removal and creek cleaning, NOW, THEREFORE, BE IT

RESOLVED that \$10,000.00 be transferred from Federal Revenue Sharing Fund Balance to Account No. 008540.4571.

Upon Roll Call....

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

Item No. 23 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

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

SPECIAL DISTRICTS FUND

From:	858160.4469 (Sanitation-Disposal)	\$ 2,500.00
	508125.4438 (S.D. #5-Emergency Repairs)	450.00
	931001.000 (W.D. #8-Tax Levy)	60,965.00
To:	858160.4001 (Sanitation-Office Supplies)	2,500.00
	508125.4201 (S.D. #5-Supplies)	450.00
	939501.9101 (S.D. #8-Note Principal)	30,000.00
	939501.9201 (W.D. #8-Note Interest)	30,965.00

FEDERAL REVENUE SHARING FUND

From:	4001.000 (Federal Aid)	\$ 24,000.00
To:	8540.2304 (Pick-Up Trucks)	20,000.00
	8540.4577 (Ellicott Creek Erosion Control)	4,000.00

GENERAL FUND

From:	1355.1374 (Assessors-Clerk Typist)	\$ 9,000.00
	1355.1371 (Assessors-Clerk)	3,000.00
	3120.1374 (Police-Clerk Typist)	11,700.00
	9010.8101 (Employees Retirement)	109,214.00
	9010.8111 (Police Retirement)	29,655.00
	9010.8141 (Health Insurance)	20,000.00
	9010.8171 (Dental Insurance)	20,000.00
	3008.000 (Traffic Safety-Revenue)	50,000.00
	4737.000 (Nutrition Sites-Revenue)	7,000.00
	2680.000 (Insurance Recoveries-Revenue)	16,258.00
	1001.000 (Real Property Taxes-Revenue)	20,725.00
	2610.000 (Fines and Forfeited Bail-Revenue)	25,275.00
To:	1220.1341 (Supervisor-Assistant Accountant)	\$ 2,500.00
	1220.1374 (Supervisor-Clerk Typist)	4,000.00
	1220.1391 (Supervisor-Part-time Clerical)	2,500.00
	1355.1351 (Assessor-Senior Clerk)	12,000.00
	1910.4084 (Public Safety Commission)	127.00
	1910.4706 (Judgements and Claims)	7,000.00
	3120.1351 (Senior Clerk-Police)	11,700.00
	5132.2518 (Highway Garage-Building)	245,000.00
	7110.4431 (Parks-Repairs and Maintenance)	10,000.00
	7140.2507 (Recreation-Maintenance Equipment)	20,000.00
	7620.4193 (Sr. Citizens-Nutrition Sites)	7,000.00

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

MEETING NO. 14
July 1, 1985

Item No. 23 cont'd

Upon Roll Call....

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

Item No. 24 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to July 1st, 1985 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 72,794.77
SPECIAL DISTRICTS FUND	46,164.69
HIGHWAY FUND	78,457.08
FEDERAL REVENUE SHARING FUND	9,128.25
CAPITAL FUND	1,490.81
TRUST AND AGENCY FUND	3.98
HUD-CDBG FUND	9,720.69
HOUSING REHABILITATION FUND	1,600.00
DEBT SERVICE FUND	18,766.00
SPECIAL ASSESSMENT FUND	33,373.15
PART TOWN FUND	1,832.99
	<u>\$273,332.41</u>

Upon Roll Call....

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

III. FROM THE TABLE

Item No. 25 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, a vacancy currently exists in the position of General Mechanic in the Facilities Department, and

WHEREAS, in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, the position of General Mechanic was duly posted, and

WHEREAS, William A. Rieck has applied for such position, NOW, THEREFORE BE IT

RESOLVED that William A. Rieck of _____, Cheektowaga, New York be and hereby is appointed to the position of General Mechanic in the Facilities Department.

Upon Roll Call....

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

MEETING NO. 14
July 1, 1985

IV. GENERAL COMMUNICATIONS

Item No. 26 Building Permits
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 27 N.Y.S. Dept. of Trans. - Notice of Order - removal of signal on
Broadway at Forks Fire Hall driveway
Copies were sent to: Cheektowaga Traffic Safety Commission; Alfred
Wnek, Highway Superintendent; L. Smolarek, Chief of Police.
Received and Filed.

Item No. 28 E.C. Dept. of Public Works - letter re: 2-way left turn lane on
George Urban Blvd.
Copies were sent to: Daniel E. Weber, Supervisor; Council Office;
Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway
Superintendent.
Received and Filed.

Item No. 29 Cheektowaga Traffic Safety Commission - minutes of June meeting.
Received and Filed.

Item No. 30 Cheektowaga Planning Board - Minutes of May meeting
Received and Filed.

Item No. 31a SUMMONS & COMPLAINT - Sandra Birkman, infant by David Birkman vs Town
of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway
Superintendent.
Received and Filed.

Item No. 31b SUMMONS & COMPLAINT - L.E. Radzikowski, father of Amy Lee Radzikowski
vs Town of Cheektowaga.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Joseph J. Naples, Insurance Company; Mike Miecznikowski,
Recreation Director.
Received and Filed.

Item No. 32 VERIFIED COMPLAINT - Gerald W. Haberman vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Schmitt & Kraftt, Inc., Insurance Company; L. Smolarek,
Chief of Police.
Received and Filed.

Item No. 33 NOTICE OF CLAIM - James Szewczyk vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway
Superintendent.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Gabryszak, Seconded by Councilman W. Rogowski to suspend the rules to include the following two (2) items.

Upon Roll Call....

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

Item No. 34 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board has completed an initial review and evaluation of the various license applications submitted for drivers/attendants, and has recommended that the Town Board license such drivers/attendants, and

WHEREAS, the Town Board, pursuant to Section A-5 of the Ambulance Ordinance desires to license such drivers/attendants; NOW, THEREFORE, BE IT

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

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period of one (1) year; and BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue a drivers/attendants license to the applicants set forth on the annexed schedule, pursuant to the terms of this resolution.

* See next page for list

Upon Roll Call....

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

DRIVERS/ATTENDANTS
LICENSES

<u>Name</u>	<u>Address</u>	<u>Ambulance Employer</u>
H. James Suitor	, Youngstown, N.Y. 14174	Gold Cross
Paul A. Teresi	, Buffalo, N. Y. 14216	Gold Cross
Henry S. Cochran II	, North Tonawanda, N.Y. 14120	Towns
Matthew T. Altman	Ext., Lockport, N.Y. 14094	Towns
Reginald Dixon	Buffalo, N. Y. 14215	Gold Cross
Edward W. Wells	Cheektowaga, N.Y. 14227	Towns

MEETING NO. 14
July 1, 1985

Item No. 35 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance, which among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board has completed a review and evaluation of two license applications submitted for ambulances, and has recommended that the Town Board license such ambulances, and'

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

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

RESOLVED that the applications for ambulance licenses set forth below are hereby approved for licensing by this Town Board:

AMBULANCE LICENSEES

<u>OWNER</u>	<u>VEHICLE: MAKE & MODEL</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
Town Ambulance Service, Inc.	'78 Dodge Van	4495AA	564
Town Ambulance Service, Inc.	"78 Dodge Van	6881AA	568

and BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue ambulance licenses to the applicants set forth above, upon the receipt of a letter from the insurance consultant to the Town of Cheektowaga to the effect that each such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

Item No. 36 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz to adjourn the meeting in memory of Former Supervisor and Town Clerk, Benedict T. Holtz; In memory of Edward Clark, father of Town Employee, Ed Clark; also in memory of Joseph Seldon, Past Chief and Fire Commissioner of Cleveland Hill Fire Co.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of July, 1985 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Councilman Thomas M. Johnson, Jr.
Councilman William P. Rogowski
Councilman John V. Rogowski
Councilman Patricia A. Jaworowicz
Councilman Christopher J. Kowal
Councilman Dennis H. Gabryszak

ABSENT: Supervisor Daniel E. Weber

Also present were: Bernard J. Wojtkowiak, Deputy Supervisor; Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Casimir Kozminski, Assessor; Sal LaGreca, Employment and Training Director II; Brian Lewandowski, Deputy Town Attorney; Ronald Marten, Building Inspector; Leonard J. Smolarek, Chief of Police; Al Thrun, Representative of Cheektowaga Traffic Safety Commission; and Patricia Wojcik, Recreation Director, Senior Citizens.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendment being as follows:

* * * * *

ARTICLE VII

Turning Movements

Section 74. No right on red shall be amended by deleting therefrom the following:

- A. Right turns by traffic from the west on Maryvale Drive at the entrance to Maryvale School

and by substituting in its place the following:

Section 74. No right on red

- A. Right turns by traffic westbound on Maryvale Drive at the entrance to Maryvale School.

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
McPARLIN AVENUE	East-west	EDEN LANE	Southbound	N.W. Corner

Item No. 2 Cont'd.

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime.

MARYVALE DRIVE South side: from a point 200 feet west of the west curblineline of Cayuga Road to the east curblineline of Union Road.

Section 102. Parking prohibited in designated locations shall be amended by adding thereto:

A. No parking this side of street

WOODGATE DRIVE east side from the north curblineline of LeHavre Drive to the south curblineline of Barbados Drive (southerly east-west segment)

WOODGATE DRIVE west side from the north curblineline of Barbados Drive (southerly east-west segment) to the south curblineline of Barbados Drive (northerly east-west segment).

BARBADOS DRIVE south side from the east curblineline of Woodgate Drive to the east curblineline of Philip Drive.
east side and
north side

B. No parking anytime

MARYVALE DRIVE south side from the west curblineline of Cayuga Road to the east curblineline of Union Road.

* * * * *

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

Item No. 3 This being the time and place advertised for a public hearing relative to Unsafe Buildings and Collapsed Structures Ordinance regarding demolition and removal of a structure located at 5124 So. Transit Road, Cheektowaga, New York.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. At this time Ronald Marten, Building Inspector, stated that a new owner has bought the property and the land has been cleared. The building has been knocked down and the Building Inspector is 100% satisfied with what has been done with the property. Other comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

II. RESOLUTIONS

Item No. 4A Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, by resolution dated November 7, 1983 this Town Board awarded the contract for Cedargrove Heights Improvements Stage II, Phase IV to Castricone Contractors, Inc., AND

WHEREAS, by resolution dated April 15, 1985 this Town Board ter-

Item No. 4A Cont'd.

minated Castricone Contractors, Inc. from the Cedargrove Heights Improvements Project, Stage II, Page IV for due cause, and called upon the surety for Castricone Contractors, Inc., Union Indemnity Insurance Company of New York, to complete such project, AND

WHEREAS, by resolution dated July 1, 1985, this Town Board withdrew its request that Union Indemnity Insurance Company of New York complete the aforementioned project and stated that it would complete same in a manner it deemed desirable, AND

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has notified the Town that the completion of such project must be publicly bid since such project was funded through HUD, AND

WHEREAS, this Board desires to expeditiously arrange for the completion of such project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders in connection with the completion of said Stage II, Phase IV construction, notice to be published in the BUFFALO NEWS, BUFFALO CRITERION and THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that the Town Clerk obtain certified copies of the publications of said Notice to Bidders from each newspaper, AND, BE IT FURTHER

RESOLVED, that sealed proposals will be received by the Town of Cheektowaga on August 1, 1985 at 11:00 A.M., Local Time, at the Town Hall at which time and place they will be publicly opened and read aloud.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 1st day of August 1985 at 11:00 A.M., Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting the completion of Stage II, Phase IV of the Cedargrove Heights Neighborhood Improvement Program, complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which shall be on file with the Town Engineer in his office in the Town Hall as of July 22, 1985.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc. upon payment of \$50.00 per set of documents. Two (2) checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

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

MEETING NO. 15
July 15, 1985

Item No. 4A Cont'd.

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

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

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

This contract shall be completed no later than ninety (90) consecutive calendar days from the date of the Notice to Proceed.

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

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY
WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246.
THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER
THIS ORDER WHICH CONCERN NON-DISCRIMINATION IN
EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

RICHARD M. MOLESKI, TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK.

DATED: July 15, 1985

PUBLISHED: July 18, 1985

* * * * *

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

AFFIDAVIT - NEXT PAGE

State of New York }
ERIE COUNTY }
CITY OF BUFFALO

WILL YOU PLEASE COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246, THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.
 RICHARD M. MOLESKI
 Town Clerk
 Town of Cheektowaga, N.Y.
 Dated: July 18, 1985

- 84 FORD CROWN
- 84 COLONY PARK
- 84 CADILLAC
- 84 FORD ESCOR
- 78 FORD T-F
- 84 EL DORADO
- 81 MARK VI
- 81 BUICK RI
- 81 MARQUIS B

D. Eileen Perry
 of the City of Buffalo, New York, being duly sworn,
 deposes and says that she is Principal Clerk
 of the BUFFALO EVENING NEWS, INC.,
 Publisher of the BUFFALO EVENING NEWS, a
 newspaper published in said city, that the notice of
 which the annexed printed slip taken from said
 newspaper is a copy, was inserted and published
 therein once ~~XXXXXXXXXXXXXXXXXXXX~~
~~week~~ ~~the first~~ insertion being on the 18th
 day of July 19 85 ~~and the last~~
~~insertion being on the~~ ~~XXXXXXXXXXXXXXXXXXXX~~ ~~day of~~

D. Eileen Perry

Sworn to before me this 18th day
 of July 19 85

Harold A. Mann
 Notary Public, Erie County, N. Y.

HAROLD A. MANN
 Notary Public, State of New York
 Qualified in Erie County
 My Commission Expires March 30, 19 86

STATE OF NEW YORK

Erie County, City of Buffalo

ss.

The BUFFALO CRITERION

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

..... Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says,

that ...he is Editor-Publisher... of The Buffalo

Criterion, a weekly newspaper published in said City, that

the notice, of which the annexed printed slip taken from

said newspaper is a copy, was inserted and published there-

in once a week for one

weeks, the first insertion being on the ...17th... day of

..... July....., 19...85 and the last insertion be-

ing on the day of

19.....

Frank E. Merriweather

.....

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this15th..... day of

.....August....., 19...85..

Cheryl F. Lort

.....

~~Notary Public~~

Commissioner of Deeds

CHERYL F. LORT

NOTARY PUBLIC, STATE OF NEW YORK

QUALIFIED IN ERIE COUNTY

My Commission Expires March 10, 19 87

Notice to Bidders

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 1st day of August 1985 at 11:00 A.M., Local Time in the town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting the completion of Stage II, Phase IV of the Cedargrove Heights Neighborhood Improvement Program, complete, in place and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which shall be on file with the Town Engineer in his office in the Town Hall as of July 22, 1985.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two [2] checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

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

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

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

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

This contract shall be completed no later than ninety [90] consecutive calendar days from the date of the Notice to Proceed.

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

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

**RICHARD M. MOLESKI, TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK**

DATED: July 15, 1985
PUBLISHED: July 18, 1985

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication July 18, 1985 ;
last publication July 18, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 19th

day of July, 1985

Cecilia Westoven

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

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

**LEGAL NOTICE
NOTICE TO BIDDERS**
NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 1st day of August 1985 at 11:00 A.M., Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting the completion of Stage II, Phase IV of the Cedargrove Heights Neighborhood Improvement Program, complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which shall be on file with the Town Engineer in his office in the Town Hall as of July 22, 1985.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc. upon payment of \$50.00 per set of documents. Two (2) checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

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

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

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

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

This contract shall be completed no later than ninety (90) consecutive calendar days from the date of the Notice to Proceed.

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

**BIDDERS ON THIS WORK
WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S
EXECUTIVE ORDER NO. 11246.
THE REQUIREMENTS FOR BIDDERS
AND CONTRACTORS UNDER THIS ORDER WHICH
CONCERN NON-DISCRIMINATION IN
EMPLOYMENT ARE EXPLAINED IN THE
SPECIFICATIONS.**

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

DATED: July 15, 1985
PUBLISH: July 18, 1985

Notice to Bidders

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 1st day of August 1985 at 11:00 A.M., Local Time in the town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the resurfacing of streets and related work, constituting the completion of Stage II, Phase IV of the Cedargrove Heights Neighborhood Improvement Program, complete, in place and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which shall be on file with the Town Engineer in his office in the Town Hall as of July 22, 1985.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 310 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two [2] checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

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

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

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

The successful bidder will be required to furnish a Performance Bond acceptable to the Owner, in an amount equal to the contract amount.

This contract shall be completed no later than ninety [90] consecutive calendar days from the date of the Notice to Proceed.

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

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NUMBER 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

**RICHARD M. MOLESKI, TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK**

DATED: July 15, 1985

PUBLISHED: July 18, 1985

Item No. 4B Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the repainting of the ice rink ceiling at Cheektowaga Recreation Center. Information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on August 5, 1985 at 11:00 A.M., Eastern Daylight Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town of Cheektowaga on August 5, 1985 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the repainting of the ice rink ceiling at the Recreation Center in Cheektowaga Town Park.

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.

RICHARD M. MOLESKI
TOWN CLERK

DATED: July 15, 1985

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication July 18, 1985.....;
last publication July 18, 1985.....;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 19th.....

day of July....., 1985.

Cecilia Westoven.....

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

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

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on August 5, 1985 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the repainting of the ice rink ceiling at the Recreation Center in Cheektowaga Town Park.

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.

RICHARD M. MOLESKI

Town Clerk

DATED: July 15, 1985

PUBLISH: July 18, 1985

Item No. 5 Motion by Councilman Jaworowicz, Seconded by Councilman Johnson

WHEREAS, Samuel W. Tadio has applied for a Special Permit for the erection of a mobile home park on property located at 4825 Genesee Street, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Town Board of the Town of Cheektowaga on the 20th day of May, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the aforementioned Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga", has also duly considered the application for the mobile home park for the above-referenced property located at 4825 Genesee Street and has rendered a determination that such mobile home park will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED, that said Special Permit be and hereby is granted subject to the approval of the mobile home park by the Erie County Department of Health.

* * * * *

LEGAL DESCRIPTION

COMMENCING at the intersection of the south line of Old Genesee Street with the east line of lands conveyed to William M. Tadio by Deed recorded in the Erie County Clerk's Office in Liber 3898 of Deeds at page 38; thence running easterly along the southerly line of Old Genesee Street 186.73 feet to an angle point therein and thence continuing easterly along the said southerly line of Old Genesee Street 1.61 feet to a point distant 150.28 feet west of the northeast corner of lands conveyed to William M. Tadio and Marie C. Tadio, his wife, by Deed recorded in Erie County Clerk's Office in Liber 5281 of Deeds at page 340; thence southerly parallel to the east line of lands so conveyed to William M. Tadio and Marie C. Tadio, his wife, by last mentioned Deed, 300 feet to a point; thence easterly at right angles to last described line 150 feet to a point in the easterly line of lands of William M. Tadio and Marie C. Tadio, his wife, distant 309.09 feet southerly from the south line of Old Genesee Street; thence southerly and along the easterly line of lands so conveyed to William M. Tadio and Marie C. Tadio, his wife, 2,235.99 feet more or less to a point in the northeast corner of lands conveyed by County of Erie to Henry S. Kozilo by Deed recorded in the Erie County Clerk's Office in Liber 5570 of Deeds at page 495; thence westerly parallel to the south line of Lot No. 76, Township 11, Range 7, 520.03 feet to a point; thence northerly and parallel to the east line of lands conveyed to William M. Tadio by the County of Erie by Deed recorded in Liber 5281 of Deeds at page 340, 2,134.19 feet to a point; thence easterly in a straight line 187.22 feet more or less to a point in the easterly line of lands conveyed to William M. Tadio by Deed recorded in Erie County Clerk's Office in Liber 3898 of Deeds, page 38, distant 365 feet southerly from the place of beginning; thence northerly and along the said easterly line of lands of William M. Tadio 365 feet to the point or place of beginning.

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....*Paula Miranda*....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*July 18, 1985*.....;
last publication.....*July 18, 1985*.....;
and that no more than six days intervened be-
tween publications.

.....*Paula Miranda*.....

Sworn to before me this*19th*.....

day of*July*....., 19..*85*..

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

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of July, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Councilmen:

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

ABSENT:

Supervisor Daniel E. Weber

Motion by Councilman
Jaworowicz
Seconded by Councilman
Johnson

WHEREAS, Samuel W. Tadio has applied for a Special Permit for the erection of a mobile home park on property located at 4825 Genesee Street, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Town Board of the Town of Cheektowaga on the 20th day of May, 1985 at 8:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the aforementioned Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the mobile home park for the above-referenced property located at 4825 Genesee Street and has rendered a determination that such mobile home park will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED, that said Special Permit be and hereby is granted, subject to the approval of the mobile home park by the Erie County Department of Health.

COMMENCING at the intersection of the south line of Old Genesee Street with the east line of lands conveyed to William M. Tadio by Deed recorded in the Erie County Clerk's office in Liber 3898 of Deeds at page 38; thence running easterly along the southerly line of Old Genesee Street 156.73 feet to an angle point therein and thence continuing easterly along the said southerly line of Old Genesee Street 1.61 feet to a point distant 150.25 feet west of the northeast corner of

lands conveyed to William M. Tadio and Marie C. Tadio, his wife, by Deed recorded in Erie County Clerk's Office in Liber 5281 of Deeds at page 340; thence southerly parallel to the east line of lands so conveyed to William M. Tadio and Marie C. Tadio, his wife, by last mentioned Deed, 300 feet to a point; thence easterly at right angles to last described line 150 feet to a point in the easterly line of lands of William M. Tadio and Marie C. Tadio, his wife, distant 309.09 feet southerly from the south line of Old Genesee Street; thence southerly and along the easterly line of lands so conveyed to William M. Tadio and Marie C. Tadio, his wife, 2,235.99 feet more or less to a point in the northeast corner of lands conveyed by County of Erie to Henry S. Kozilo by Deed recorded in the Erie County Clerk's Office in Liber 5570 of Deeds at page 495; thence westerly parallel to the south line of Lot No. 76, Township 11, Range 7, 520.03 feet to a point; thence north and parallel to the east line of lands conveyed to William M. Tadio by the County of Erie by Deed recorded in Liber 5281 of Deeds at page 340, 2,134.19 feet to a point; thence easterly in a straight line 187.22 feet more or less to a point in the easterly line of lands conveyed to William M. Tadio by Deed recorded in Erie County Clerk's Office in Liber 3898 of Deeds, page 38, distant 365 feet southerly from the place of beginning; thence northerly and along the said easterly line of lands of William M. Tadio 365 feet to the point or place of beginning. Upon roll call...

Supervisor

Weber

Voting ABSENT

Councilmen

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 6

NAYES: 0

ABSENT: 1

STATE OF NEW YORK)

COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on July 15, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 15th day of July, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: July 16, 1985

MEETING NO. 15
July 15, 1985

Item No. 6A Motion by Councilman Gabryszak, Seconded by Councilman Johnson

WHEREAS, sealed bids for three (3) truck chassis for the Sanitation Department were received and opened on June 3, 1985 at a public bid opening, AND

WHEREAS, said bids were reviewed by the Town Engineer and his recommendations are contained in the attached letter dated July 11, 1985, NOW, THEREFORE, BE IT

RESOLVED, that the bid for three (3) truck chassis for the Sanitation Department be awarded to Buffalo Truck Sales & Service Inc., 85 Michigan Avenue, Buffalo, New York 14204 for submitting the lowest bid in the amount of \$49,947.00 per unit totaling \$149,841.00, said bid meeting the intent of the specifications.

*SEE NEXT PAGE FOR LETTER FROM TOWN ENGINEER CONTAINING RECOMMENDATIONS.

Upon Roll Call....

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



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448
716-686-3447

July 11, 1985

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of (3) Truck Chassis
for the Sanitation Dept.
Packer Units

Gentlemen:

At a public bid opening on June 3, 1985 bids were received and publicly opened for (3) three truck chassis for the Sanitation Department. Two (2) bids were received and are as follows:

	<u>EACH</u>	<u>TOTAL (3)</u>
Buffalo Truck Sales	\$ 49,947.00	\$ 149,841.00
Buffalo Mack	\$ 59,889.00	\$ 197,667.00

These bids were reviewed with Dick Koszuta, Central Garage Foreman, and Ronald Zoeller, Sanitation Foreman. The bid should be awarded to Buffalo Truck Sales, 85 Michigan Avenue, Buffalo, New York 14204 for submitting a total bid of \$149,841.00, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Senior Engineer Assistant

ABB:mjh

MEETING NO. 15
July 15, 1985

Item No. 6B Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, bids were duly received by this Town Board at a bid opening held on June 17th, 1985 for the furnishing of Fuel, Oil, Lubricants etc. for the Cheektowaga Highway Department as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED, that the bids be awarded to the lowest reasonable bidders meeting specifications as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

*SEE NEXT FIVE (5) PAGES FOR LETTER FROM TOWN HIGHWAY SUPERINTENDENT AND ANALYSIS, TABULATION AND REPORT.

Upon Roll Call....

AYES: Councilmen Johnson, W.P. Rogowski, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Supervisor Weber

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686-3450



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

July 11, 1985

SUPERVISOR DANIEL E. WEBER
MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA NY 14227

Re: Award of bids for Fuel, Oil, Lubricants etc.

Gentlemen:

Bids for the above mentioned materials were received by the Town Clerk, Richard Moleski, and opened on June 17th, 1985, and after reviewing same, I recommend that the following bids be awarded to:

American Lubricant Co., Inc., 619 Bailey Ave., Buffalo NY.
Kurk Fuel Oil Co., 1276 Harlem Road, Cheektowaga, NY.
Noco Energy Corp., 700 Grand Island Blvd., Tonawanda NY.

Attached hereto is a tabulation of bids submitted by the above companies (encircled to indicate the lowest bidder) and their competitors as listing each bid would be too lengthy I trust the above will meet with your approval.

Very truly yours,

TOWN OF CHEEKTOWAGA

ALFRED F. WNEK
HIGHWAY SUPERINTENDENT

AFW:ERP

cc: Members Town Board
Town Clerk
Town Attorney
Engineering Dept.
Central Garage

"When better roads are built — Cheektowaga will build them"



List of bids awarded for fuel, oil,
lubricants, etc.
Effective 7/15/85 to 7/15/86

Niagara Lubricant
105 Manitoba St.
716/822-2300

Superior Lubricant
32 Ward Road
N. Tonawanda
693-6050

Davis Howland Oil
200 Anderson Ave.
Rochester NY 14609
716-473-6650

American Lub Inc.
619 Bailey Avenue
Buffalo Ny 14206
716-827-8300

	Niagara Lubricant	Superior Lubricant	Davis Howland Oil	American Lub Inc.
Kerosene Oil	No Bid	\$1.54 \$84.70 55#	1.93 \$106.15	Not Available
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance	\$2.04 Ga. \$112.20 Drum	\$ 1.95 Ga. \$107.25 Drum	\$ 1.94 \$106.70 Drum	\$ 1.89 Ga. \$103.95 Drum
MOTOR OILS: XXHDSAE 30-CC & CD meets Detroit Diesel Classification	\$ 2.48 Ga. \$136.40 Drum	\$ 2.55 Ga. \$140.25 Drum	\$ 2.31 Ga. \$127.05 Drum	\$ 2.49 Ga. \$136.95 Drum
UMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.	\$ 2.41 Ga. \$132.55 Drum	\$ 2.55 Ga. \$140.25 Drum	\$ 2.39 Ga. \$131.45 Drum	\$ 2.39 Ga. \$131.45 Drum
10w40 SF-CC used for gas engine, cars & Pickups	\$ 2.43 Ga. \$133.65 Drum	\$ 2.52 Ga. \$138.60 Drum	\$ 2.41 Ga. \$132.55 Drum	\$ 2.45 Ga. \$134.75 Drum
DSL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.	\$ 2.00 Ga. \$110.00 Drum	\$ 2.19 Ga. \$120.45 Drum	\$ 2.00 Ga. \$110.00 Drum	\$ 1.99 Ga. \$109.45 Drum
SUPER HPO 8D SAE 30 - detergent API services SS, SE & CC.	\$ 2.45 Ga. \$134.75 Drum	\$ 2.49 Ga. \$136.95 Drum	\$ 2.28 Ga. \$125.40 Drum	\$ 2.38 Ga. \$130.90 Drum
TRANSMISSION FLUID: ATF Dextron II	\$ 2.65 Ga. \$145.75 Drum	\$ 2.59 Ga. \$142.45 Drum	\$ 2.66 Ga. \$146.30 Drum	\$ 2.40 Ga. \$132.00 Drum
GEAR OIL: DSL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.	\$.43 lb. \$ 51.60 120#	\$.46 lb. \$3.39 Ga. \$186.45 400#	\$.45 lb. \$ 54.00 120#	\$.39 lb. \$ 46.80 120#
DSL APGO 140 - same as above.	\$.43 lb. \$ 51.60 120#	\$ 3.19 Ga. \$.43 lb. \$175.45 400#	\$.44 lb. \$ 52.80 120.#	\$.39 lb. \$ 46.80 120#

Cont. list of bids for fuel, oil, etc.

Allied Oil Co.
4545 River Rd.
Tona., NY 14150
716/879-8602

Kurk Fuel Oil Co.
Dv.T.F. Kurk Inc.
1276 Harlem Rd.
Cheektowaga NY 14206
892-0359

Noco Energy Corp.
700 Grand Island
Tona. NY 14150
716/874-6200

Petroleum Sales
& Svc. Inc.
300 Ohio St.
Buffalo NY 14204
716/856-8689

Kerosene Oil	No Bid	\$1.079 Gal.	\$1.51 Ga. \$83.05 Dr.	No Bid
HYDRAULIC OIL #44 Anti-Wear, Rust & Oxidation Resistance			\$ 1.96 Gal. \$107.80 Drum	\$ 2.54 Gal. \$139.70 Drum
MOTOR OILS: XXHDSAE 30-CC & CD meets Detroit Diesel Classification			\$ 2.285 Gal. \$125.675 Drum	\$ 2.94 Gal. \$161.70 Gal.
UMO SAE 30-SF, CC, & CD used for gas trucks, diesel, (turbocharged engines), Mack Spec EO-J.			\$ 2.24 Gal. \$123.20 Drum	\$ 2.94 Gal. \$161.70 Drum
10w40 SF-CC used for gas engine, cars & Pickups			\$ 2.22 Gal. \$122.10 Drum	\$ 4.06 Gal. \$223.30 Drum
DSL Reg SAE 20 & 30. This is a non-detergent motor oil for use where additive oils are not required or desired.			\$ 2.78 Gal. \$152.90 Drum	\$ 3.55 Gal. \$195.25 Drum
SUPER HPO 8D SAE 30 - detergent API services SS, SE & CC.			\$ 2.285 Gal. \$125.675 Drum	\$ 2.79 Gal. \$153.45 Drum
TRANSMISSION FLUID: ATF Dextron II			\$ 2.31 Gal. \$127.05 Drum	\$ 3.25 Gal. \$178.75 gal.
GEAR OIL: DSL APGO 80/90-classifications GL-S through GL-5. This also covers Mack Truck Specs.			\$.40. lb. \$160.00 400# drum	\$.681 lb. \$ 81.72 120# drum
DSL APGO 140 - same as above.			\$.40 lb. \$160.00 400# drum	\$.63 lb. \$ 75.60 120# drum

Cont. list of bids for fuel, oil, etc.

Niagara Lubricant
105 Manitoba St.
716/822-2300

Superior Lub. Co. Inc.
32 Ward Rd.
N. Tonawanda NY
693-6050

Davis-Howland Oil
200 Anderson Rd.
Rochester NY 14609
716/473-6650

American Lub. Co.
619 Bailey Ave.
Buffalo NY 14206
716/827-8300

MULTO-PURPOSE LUBE:

DSL A.P. GREASE LITHIUM #2 or as equal

\$.62 lb.
\$ 74.40 120#

\$.65 lb.
\$ 78.00 120# drum

\$.65 lb.
\$ 78.00 Drum

\$.62 lb.
\$ 74.40 drum

LUBRIPLATE - Wheel Bearing Grease or as equal

\$.57 lb.
\$ 68.40 120#

\$.78 lb.
\$ 93.60 120#

\$ 1.15 lb.
\$ 40.25 Drum

\$.57 lb.
\$ 68.40 120# drum

PERMANENT ANTI-FREEZE

\$ 2.69 Gal.
\$147.95 Drum

\$ 2.95 Gal.
\$162.25 Drum

\$ 2.67 Gal.
\$146.85 Drum

#2 DIESEL FUEL OIL

Bid price per gallon delivered.

No limit on number of gallons per delivery.

NOT LESS THAN PREMIUM-SUPER UNLEADED GASOLINE

Bid price per gallon delivered.

No limit on number of gallons per delivery.

* Drum Dep. \$20.00

Cont. list of bids for fuel oil, etc.

Allied Oil Co.
4545 River Rd.
Tona NY 14150
716/879-8602

Kurk Fuel Oil Co.
Div. T.F. Kurk Inc.
1276 Harlem Rd.
Cheek NY 14206
892-0359

Noco Energy Corp.
700 Grand Island
Tona. NY 14150
716/874-6200

Petroleum Sales
& Service Inc.
300 Ohio
Buffalo NY 14204

MULTO-PURPOSE LUBE:

DSL A.P. GREASE LITHIUM #2 or as equal

\$.56 lb

\$224.00

LUBRIPLATE - Wheel Bearing Grease or as equal

\$

\$28

PERMANENT ANTI-FREEZE

#2 DIESEL FUEL OIL

Bid price per gallon delivered.

\$.7800 per gal.

\$.7875

No limit on number of gallons per delivery.

Truck Transport Lots

*

*

NOT LESS THAN PREMIUM-SUPER UNLEADED GASOLINE

Bid price per gallon delivered.

\$.9495

No limit on number of gallons per delivery.

*

\$.9470

*Bid price to fluctuate with Seller's date of shipment -
price is exclusive of NYS Gross Receipt Tax.

MEETING NO. 15
July 15, 1985

Item No. 7A Motion by Councilman Johnson, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals, hired as Seasonal Employees, be and hereby are terminated:

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT</u>	
Bartosz, Robert	Immediately
Daminski, Jerry	7/26/85
Krzeminski, Joseph	7/19/85
Moleski, Thomas	Immediately
Strzelczyk, Paul	7/19/85
<u>MAIN PUMP STATION</u>	
Hoffman, Darlene	8/2/85

Upon Roll Call....

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

Item No. 7B Motion by Councilman W. Rogowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the below listed individuals be terminated from the Cheektowaga Conservation Corps Program (7310.1812), effective immediately:

--Ray Arne, III
--Christine Osika
--Mike Roland

BE IT FURTHER RESOLVED that Michael Bidlack, erroneously listed on a hiring resolution dated June 17, 1985 as a Summer Trainee in the Cheektowaga Conservation Corps Program (7310.1812), be terminated because he is ineligible for the Program, and

BE IT FURTHER RESOLVED that the below listed individual be terminated from the Day Camp for Developmentally Disabled (7310.1802), effective immediately:

--Kathy Swartz

Upon Roll Call....

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

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

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

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT - \$3.10 per hour</u>	
Roger Halas	Immediately
Karen Macris	Immediately
Jerry Daminski	7/29/85
<u>SEWER MAINTENANCE DEPARTMENT - \$3.10 per hour</u>	
Paul Kalczynski	Immediately

MEETING NO. 15
July 15, 1985

Item No. 8A Cont'd.

TOWN CLERK'S OFFICE - DOG ENUMERATORS - \$3.10 per hour EFFECTIVE
Sue Brzykcy 7/15/85
Karen Chmura 7/08/85

FACILITIES DEPARTMENT - BLDG. MAINTENANCE DIVISION: \$3.10 per hour

William J. Wnuk Retroactive
7/09/85

Upon Roll Call....

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

Item No. 8B Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001 - \$3.10 per hour

EFFECTIVE
Richard Coffta 7/22/85
Douglas Dixon 7/22/85
John Kochel 7/22/85

Building Maintenance Division - #01-001625-1-0-1491-001 - \$4.00 per hour

Josephine Ratajczak 7/22/85

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

Linda Ruhland 7/22/85

Upon Roll Call....

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

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

WHEREAS, there is need for a Motor Equipment Operator, Class "A", in the Sewer Maintenance Department, AND

WHEREAS, the opening was properly posted for a period of ten (10) working days as per the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, AND

WHEREAS, the most senior applicant, namely: Robert Czubaj, was given the opportunity to demonstrate his ability to operate all Sewer Maintenance Department equipment in a safe, efficient manner as stipulated in the Town Board resolution dated July 1, 1985, NOW, THEREFORE, BE IT

RESOLVED, that Robert Czubaj, Sloan, New York 14212, the most senior applicant willing to accept the position, be and hereby is appointed to the position of Motor Equipment Operator, Class "A", in the Sewer Maintenance Department at the current wage rate for said position, effective July 16, 1985.

MEETING NO. 15
July 15, 1985

Item No. 9 Cont'd.

Upon Roll Call....

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

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

WHEREAS, the Chief of Police has expressed a need to have three Police Attendants, to be on stand-by, added in the Police Department, AND

WHEREAS, Carol Taber of Barbara A. Kaminski of
, and Susan Lopez of , all of Cheektowaga, have
applied for the position of Police Attendant, have been interviewed by the Chief
of Police and the Chief of Police has recommended that Ms. Taber, Ms. Kaminski
and Ms. Lopez be appointed to the position of Police Attendant, NOW, THEREFORE,
BE IT

RESOLVED, that Carol Taber, Barbara A. Kaminski and Susan Lopez be
and hereby are appointed to the position of Police Attendant (part-time), to be
called in when other Police Matron/Attendants are unavailable and they will be
paid for each hour they are called at the rate of \$6.38 per hour, up to twenty
(20) hours per week.

Upon Roll Call....

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

Item No. 11 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, the New York State Association of Traffic Safety Boards
is holding its 1985 Convention in Rochester, New York, on September 20-22, 1985,
AND

WHEREAS, the Cheektowaga Traffic Safety Commission has requested
authorization for its members to attend said Convention at a total cost of
\$200.00 for registration fees per the attached correspondence, NOW, THEREFORE, BE
IT

RESOLVED, that the members of the Cheektowaga Traffic Safety
Commission be and hereby are authorized to attend the New York State Association
of Traffic Safety Boards in Rochester, New York, September 20-22, 1985 at a cost
not to exceed the registration fees of \$200.00.

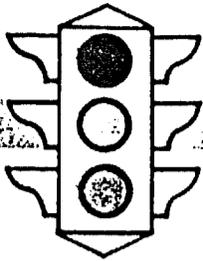
*SEE NEXT FOUR (4) PAGES FOR LETTER FROM CHEEKTOWAGA TRAFFIC SAFETY COMMISSION
AND AGENDA FOR CONVENTION.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga has been notified by the New York
State Division of Housing & Community Renewal that it has been awarded \$175,000
for a Rental Rehabilitation Loan program in the Cedargrove Heights Target Area,
and



CHEEKTOWAGA

TRAFFIC SAFETY COMMISSION

Police Hdqtrs. 3223 Union Rd. Cheektowaga, N.Y. 14227



MEMORANDUM

TO: Daniel Weber, Supervisor
Town Board

FROM: Dave Metz, Executive Secretary *Dave Metz*

SUBJECT: New York State Association of Traffic Safety Boards Annual Convention

DATE: 1 July 1985

CC: C. Perlino and J. Makowski

The New York State Association of Traffic Safety Boards is holding its 1985 Convention in Rochester, New York on September 20 - 22, 1985. The Cheektowaga Traffic Safety Commission is requesting the Town Board's approval to send its members on Saturday, September 21st to attend that days meetings and seminars.

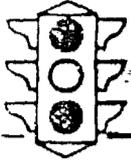
Normally, registration for the convention would cost \$25.00 per person. Through the cooperation of Mr. James Makowski, President of the NYSATSB, we will be allowed to register the entire 14 member Commission for \$200.00. No reimbursement will be requested for mileage, meals or lodging.

Due to budget constraints, the Town has not sent a representative to this Convention in recent years. Since the 1985 Convention is located in close proximity to the Town, we feel this is an ideal opportunity for the members to attend at a nominal cost.

A copy of the agenda for the convention is attached.

Thank you for your consideration of this matter.

DWM:pam
Attachment



NEW YORK STATE

ASSOCIATION OF
TRAFFIC SAFETY BOARDS

1985 CONVENTION AGENDA

SEPTEMBER 20, 1985

- 12:00 pm Registration of attendees
- 2:00 Welcome by NYA TSB President & Public Officials
- 2:10 Associate Professor Lynn H. Irwin, P.E.
Cornell University, Local Road Programs
1. How one can determine the number of lanes to converse based on the traffic capacity, and,
 2. The level of service needed
- 2:40 Robert W. McGrath, Local Government Liaison
Office of Management and Budget, Office of the Mayor
City of New York
1. Municipal Tort Liability and Traffic Safety
 2. Recent cases (Highway related & traffic safety)
- 3:10 Technical Sergeant James J. Buchholtz, Traffic Supervisor
Troop "E" New York State Police, Canandaigua, New York
1. Traffic Accident Reconstruction
 2. Other related traffic problems i.e. truck weight scale unit, service rendered by New York State Police for traffic problems, also "GAZE NYSTAGMUS" ALCOHOL IMPAIRMENT
- 3:40 Technical Sergeant Thomas Hearn, Hazardous Enforcement
Supervisor, Troop "E" NYSP, Canandaigua, NY
Troopers R.J. Faugh, T.W. DePrez
1. Transportation of Hazardous Materials on NYS Roads
 2. Related Hazardous Material Highway Enforcement
 3. How NYSP can assist local needs
- 4:20 Demonstration and tours:
1. Hazardous Material Fire Suppression Demonstration on Hotel site (Genesee River side) by Monroe County and Rochester Fire Department Hazardous Material Fire Units.
 2. Tour: 911(enhance) computer aid dispatch system
5th floor, Public Safety Building
Civic Center Plaza, Rochester Police Department
Note: Two blocks from Rochester Plaza Hotel
 3. Tour: Computerized Traffic Signals
Underground Hard Wire System with Pavement
Intersection Loop Detectors and Control Map
Board. Located at Monroe County Traffic Engineering
Offices, 350 East Henrietta Road, Rochester, NY

Note: For those interested please sign up at
registration desk prior to 3:00 pm

Monroe County to provide free Shuttle Service,
to the Traffic Engineer's Offices.

(Continued)

SEPTEMBER 20, 1985 1985 CONVENTION AGENDA

ued)

- 5:00 pm Open
- 6:00 Cocktail Reception (one hour) given by Rochester Plaza Hotel
- 7:00 Buffet Dinner (Tickets required) 1

After Dinner, NYSA TSB Executive Committee Board Meeting

1. Note: for walk-in non registered hotel guest

Dinner for Buffet \$ 22.17

SEPTEMBER 21st, 1985

- 7:00am - 8:00 am Breakfast *
- 9:00 am Program to be announced.
Co-sponsored by U.S. Department, National Highway Traffic Safety Administration, Region II, and New York State Governor's Traffic Safety Committee.
- 10:50am Break
- 12:00pm Luncheon Speaker - NHTSA *
- 2:00pm Program to be announced
- 5:00pm Open
- 6:00pm One hour cocktail party by NYSATSB
- 7:00pm Dinner * "KEYNOTE SPEAKER - THE HONORABLE JOHN PASSIDOMO, COMMISSIONER, DEPARTMENT OF MOTOR VEHICLES"
- 8:00pm Swearing-in NYSATSB Officers by Commissioner Passidomo
- 9:00pm Executive Board Meeting

* Special Note: Tickets required at all meals

For walk-in (non registered hotel guest)

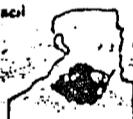
Breakfast start at \$ 5.75

Luncheon \$11.00

Dinner \$21.00

Special Diet: Hotel required 24 hours notice

Western Frontier Safety Council
Western Boulevard
Park, New York 14127
6273



James J. Makowski
Vice-President

Member of The National Safety Council

SEPTEMBER 22nd 1985

7:00am-8:00am Breakfast

9:00 Clarence W. Mosher, Director Division of Traffic Records
New York State Department of Motor Vehicles, Albany, N.Y.

" New Trends in Traffic Safety Records "

9:20 Charles A. Hurley, Executive Director Federal Affairs
Office, National Safety Council, Washington, D.C.

"Federal and Nationwide Legislative Trends in Traffic
Highway Safety"

9:40 Frank Ghiorsi, Accident Investigation, National
Transportation Safety Board, United States Congressional
Office (Station at the Kennedy Airport)

" Primary Mission and or Objectives "

(continued)

NACON CONTROLS, Inc.

100 MARONECK AVE., MAMARONECK, NY 10643
(914) 698-6225

ROBERTS E. SCHAPS
President

Alarm • Security • Traffic Control
Access • Parking • CCTV • Energy • Management

SEPTEMBER 22nd 1985

Continued)

10:00

School Bus - Seat Belt Panel*

Charles A. Hurley, Executive Director, Federal Affairs Office, National Safety Council, Washington, D.C.

Frank Ghiorso, Accident Investigation, National Transportation Safety Board, United States Congressional Office at Kennedy Airport

John Johnson, Deputy Director New York Senate Transportation Committee, Honorable Norman Levy, Chairman

Kenneth H. James, National Liaison, New York State Association for Pupil Transportation and Transportation Supervisor, Chautauqua Central School District

Carol Fast, President, National Coalition for Seat Belts on School Buses

10:50

Break

11:05

Traffic Safety Board Panel (Board Operations)

Norma Coburn, Vice President Region # 5, NYSA TSB and Chairperson, Onondaga County Traffic Safety Board (population 463,920)

The Honorable Jack Lisi, Sheriff, Steuben County and Chairperson, Steuben County Traffic Safety Board, DWI Program (population 99,135)

*Arthur Freed, P.E. Former President, NYSA Traffic Safety Boards Director, Traffic Engineering and Highway Safety, Westchester County (population 866,000)

Harlin McEwen, Immediate Past President, NYSA Chiefs of Police Chairperson, Tompkins County Traffic Safety Board (population 87,085)

*Joel Stahl, Asst. Commissioner, Department of Transportation City of New York (population 7 million) Chairperson, NYSA Stop-DWI Coordinators

*Mel Wasserman, P.E. Director Highway Safety, City of New York

Carl Perlino, Former Secretary, NYSA Traffic Safety Boards Chairperson, Town of Cheektowaga (County of Erie) Traffic Safety Board (population 110,000)

Henry "Hank" Smith, Vice President, Region # 8, Chairperson, Erie County Traffic Safety Board, member Town of Amherst and Village of Williamsville Traffic Safety Boards. (population Erie County 1,015,472)

Richard Hill, Chairperson, Village of Williamsville Traffic Safety Board (population 6,000)

Captain Michael Gangemi, Former Vice President Region # 1, NYSA Traffic Safety Boards, Chairperson, Town of Greenburg Traffic Safety Board (population 100,000)

*Richard Strang, Vice President, Region # 1, NYSA Traffic Safety Boards, Deputy Commissioner, DPW, Suffolk County (population 1,317,447)

Clifford Riccio, Executive Director, Nassau County Traffic Safety Board (population 1,321,582)

Paul Streb, P.E. Former Vice President, Region # 1, NYSA Traffic Safety Board, Director, Traffic Engineer, Nassau County

Special Note on Moderators:

1. School Bus Seat Belt Panel: Mark H. Tuohy, Jr. former FBI and Public Safety Commissioner, City of Rochester presently Corporate Safety Director for Eastman Kodak Company
2. Traffic Safety Boards: Paul Bringewatt, former Deputy City Manager City of Rochester, presently, Commissioner Public Safety, City of Rochester

* Tentative

AMAR SALES COMPANY, INC.

COUNTERS SPEED CLASSIFIERS
COUNTERS SPEED COUNTERS
ACCESSORIES VEHICLE CLASSIFIERS
THERMOCOUNTERS LOGIC DETECTOR
MEASURING TAPE READER
MARTIN 1170 ORCHARD RD.
WASHINGTON, PA. 15374
6344

Electric Company, Inc.

1020 MAMARONECK AVENUE
MAMARONECK, N.Y. 10643
DEWINE
614-888-1888

AUFFEUR'S TRAINING SCHOOL, INC.

12 RAILROAD AVENUE
BANY, NEW YORK 12205

Albert Hanley



P. Skiles

Account Representative



Control Materials
Control Products Division/3M

Place
Y 12054
564

ENGINEERING & SALES, INC.

E. SUPPLY COMPANY, INC.

William D. McNamara
General Manager

Box 2267, Providence, R.I. 02905
(401) 781-9424

TORCH

ASSOCIATES

Engineers • Architects • Planners
Landscape Architects
Environmental Consultants

1500 Westbury Ave., Westbury, N.Y. 11590
(516) 832-8222

No. 16

No. 17

MEETING NO. 15
July 15, 1985

Item No. 12 Cont'd.

WHEREAS, rental subsidies will be made available to the low-income tenants of thirty-five housing units assisted under the Rental Rehabilitation Loan Program, pursuant to the Section 8 Housing Certificate and Housing Voucher Programs, and

WHEREAS, the administration of the rental subsidy vouchers and certificates program will be carried out by Belmont Shelter Corporation, as Agent for the Erie County Public Housing Agency Consortium, of which the Town of Cheektowaga is a member, and

WHEREAS, it is necessary for the Town of Cheektowaga to sign a Memorandum of Understanding with Belmont Shelter Corporation for the provision of said services, NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to sign a Memorandum of Understanding with Belmont Shelter Corporation, as Agent for the Erie County Public Housing Agency Consortium, for the administration of the Section 8 Housing Certificate Program and Housing Voucher Program in connection with the Town's Rental Rehabilitation Program.

Upon Roll Call....

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

Item No. 13 Motion by Councilman W. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Church World Service (CWS) and Buffalo Area Metropolitan Ministries (BAMM) desire to sponsor a fund-raiser and consciousness-raising event in the Town of Cheektowaga to help hungry people nationally and internationally through emergency food assistance and development projects, and

WHEREAS, Ms. Maureen G. Gensler has requested permission from this Town Board to plan and supervise a ten kilometer "CROP WALK" on Sunday, October 20, 1985 in the Town, and

WHEREAS, such CROP WALK is planned to begin at the Stiglmeier Park Community Center and will proceed down Losson Road to Union Road to Bennett Road to Como Park Boulevard to Borden Road to Losson Road and will conclude at the Stiglmeier Park Community Center, and

WHEREAS, CWS and BAMM have insurance coverage to protect event participants against accidental injury or death, and

WHEREAS, up to 25% of the funds raised by CWS and BAMM may be returned to local agencies for programs such as the Meals on Wheels and other programs involved with feeding hungry people, and

WHEREAS, this Town Board feels that moneys raised through CROP WALKS make significant contributions to the alleviation of hunger throughout the world and that a CROP WALK is an endeavor worthy of the Town Board's attention and approval, NOW, THEREFORE, BE IT

RESOLVED, that CWS and BAMM be and hereby are given permission to hold its October 20, 1985 ten kilometer walk along Losson Road, Union Road, Bennett Road, Como Park Boulevard and Borden Road in the Town, and BE IT FURTHER

RESOLVED, that the Chief of Police insure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law of the State of New York; and he is authorized and directed to make arrangements for any and all traffic safety and escort services for such CROP WALK, and BE IT FURTHER

RESOLVED, that CWS and BAMM be and hereby are given permission to start and finish its ten kilometer walk at the Stiglmeier Park Community Center, and BE IT FURTHER

MEETING NO. 15
July 15, 1985

Item No. 13 Cont'd.

RESOLVED, that the Town Board hereby formally requests that CWS and BMM return 25% of the funds collected through the aforementioned CROP WALK to the Town of Cheektowaga and/or County of Erie to be used for the Town of Cheektowaga Meals on Wheels program and other local programs involved with feeding hungry people.

Upon Roll Call....

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

Item No. 14 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

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

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

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

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

91 Crandon Boulevard - \$1230.00

AND BE IT

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

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

Upon Roll Call....

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

Item No. 15 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, changes made in the roof assembly during construction of the Sanitary Sewer Maintenance Garage necessitate a change in the louver and damper design, AND

WHEREAS, the cost of re-working the two (2) louvers and dampers to fit the revised openings would exceed the cost of furnishing two (2) new louvers and dampers of the proper fit, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #1 in the amount of \$805.00 for the furnishing of two (2) new louvers and dampers under the Heating and Ventilating

MEETING NO. 15
July 15, 1985

Item No. 15 Cont'd.

Contract for the Sanitary Sewer Maintenance Garage as an increase in the original contract for the Frank C. Kellner Company, Inc., 7000 Seneca Street, Elma, New York 14059 be hereby approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby directed and authorized to sign said Change Order #1 on behalf of the Town of Cheektowaga.

Upon Roll Call....

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

Item No. 16A Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on 91 Newport Road, Cheektowaga, New York, SBL #92.05-4-1 and according to the Assessors' Office is owned by Dennis McKillen, North Boston, New York 14110, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the high weeds and accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 16B Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 8 Little Lane, Cheektowaga, New York, SBL #113.57-3-5, and according to the Assessors' Office is owned by Clifton W. Jones, Cheektowaga, New York, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the high weeds and removing the high weeds and accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located West of

MEETING NO. 15
July 15, 1985

Item No. 16C Cont'd.

1257 Walden Avenue, Cheektowaga, New York, SBL #102.53-6-12.1 and according to the Assessors' Office is owned by Cheektowaga Industrial Park Inc., c/o Paul Real Estate, Boulevard Mall, Amherst, New York 14226, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

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

BE IT RESOLVED that the following fund transfer is hereby approved and made a part hereof.

COMMUNITY DEVELOPMENT FUND

From: Contingency (Program Year 1984) \$2,014.75
To: Code Enforcement (Program Year 1984) \$2,014.75

Upon Roll Call....

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

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

BE IT RESOLVED that the following vouchers and warrants received by the Town of Cheektowaga prior to July 15th, 1985 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	\$246,606.33
SPECIAL DISTRICTS FUND	111,201.80
HIGHWAY FUND	65,942.71
FEDERAL REVENUE SHARING FUND	33,815.31
CAPITAL FUND	925.00
TRUST AND AGENCY FUND	3,648.13
COMMUNITY DEVELOPMENT FUND	24,083.42
PART TOWN FUND	3,398.94
HUD-NPP FUND	96.84
	<u>\$489,718.48</u>

Upon Roll Call....

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

No. 16

No. 17

MEETING NO. 15
July 15, 1985

III. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Office of Disaster Preparedness: Quarterly report: April to June 1985.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 20 Town Clerk of Grand Island: Copy of resolution opposing County of Erie's assistance in building of a baseball stadium in City of Buffalo.
Received and filed.

Item No. 21 Summons with Notice: John Couture vs. Town of Cheektowaga. Copies of this Summons were sent to: Daniel E. Weber, Supervisor; Schmitt and Kraft, Inc., Town's Insurance Carrier; James Kirisits, Town Attorney received a copy through personal service on Kevin G. Schenk, Deputy Town Attorney; Leonard J. Smolarek, Chief of Police; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department.
Received and filed.

Item No. 22A Notice of Claim: Christine Gravanda vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Councilman; Joseph J. Naples and Associates, Town's Insurance Carrier; James Matecki, Facilities Department Director; Michael Miecznikowski, Recreation Director; and Sylvia Slawiak, Accounting Department.
Received and filed.

Item No. 22B Notice of Claim: Richard J. Ejnik vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Councilman; Joseph J. Naples and Associates, Town's Insurance Carrier; Alfred Wnek, Highway Superintendent; and Sylvia Slawiak, Accounting Department.
Received and filed.

Item No. 22C Notice of Claim: Sandra Metros vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Councilman; Joseph J. Naples and Associates, Town's Insurance Carrier; James Matecki, Facilities Department Director; Dick Godlewski, Foreman, Facilities Department, Building Maintenance Division; and Sylvia Slawiak, Accounting Department.
Received and filed.

Item No. 22D Notice of Claim: Small Claims Court: Lee S. Regent vs. Town of Cheektowaga. Copies of this Notice were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson Jr., Councilman; Alfred Wnek, Highway Superintendent; and Sylvia Slawiak, Accounting Department.
Received and filed.

Item No. 23 Motion by Councilman J. Rogowski, seconded by Councilman Kowal to adjourn the meeting.

DATED: July 15, 1985

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of August, 1985 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Sal LaGreca, Employment and Training Program Director II; Pat Wojcik, Recreation Director-Senior Citizens; Ron Marten, Building and Plumbing Inspector; Don Wegner, Chairman of Zoning Board of Appeals; Jerry Gabryszak, Community Development; Ron Zoeller, Working Foreman in Sanitation Department; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Al Thrun, Cheektowaga Traffic Safety Commission; Ken Kopacz, Executive Director of Youth Bureau; Leonard J. Smolarek, Chief of Police; Andy Kulyk, Zoning Board Member.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing relative to Unsafe Buildings and Collapsed Structures Ordinance regarding demolition and removal of a structure located at 1062 Walden Avenue Cheektowaga, New York.

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 Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on July 15, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

Item No. 3a cont'd

ARTICLE VII

Turning Movements

Section 74. No right on red shall be amended by deleting therefrom the following:

A. Right turns by traffic from the west on Maryvale Drive at the entrance to Maryvale School

and by substituting in its place the following:

Section 74. No right on red

A. Right turns by traffic westbound on Maryvale Drive at the entrance to Maryvale School.

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
McPARLIN AVENUE	East-west	EDEN LANE	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

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

B. No parking anytime.

MARYVALE DRIVE South side: from a point 200 feet west of the west curblineline of Cayuga Road to the east curblineline of Union Road.

Section 102. Parking prohibited in designated locations shall be amended by adding thereto:

A. No parking this side of street

WOODGATE DRIVE east side from the north curblineline of LeHavre Drive to the south curblineline of Barbados Drive (southerly east-west segment)

WOODGATE DRIVE west side from the north curblineline of Barbados Drive (southerly east-west segment) to the south curblineline of Barbados Drive (northerly east-west segment).

BARBADOS DRIVE south side
east side and
north side from the east curblineline of Woodgate Drive to the east curblineline of Philip Drive.

B. No parking anytime

MARYVALE DRIVE south side from the west curblineline of Cayuga Road to the east curblineline of Union Road.

Item No. 3a cont'd

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

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....*Paula Miranda*..... of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*Aug 8, 1985*..... ;
last publication.....*Aug 8, 1985*..... ;
and that no more than six days intervened be-
tween publications.

.....*Paula Miranda*.....

Sworn to before me this*9th*.....

day of*August*....., 19..*85*..

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

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 5th day of August, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson

Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on July 15, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE VII

Turning Movements

Section 74. No right on red shall be amended by deleting therefrom the following:

A. Right turns by traffic from the west on Maryvale Drive at the entrance to Maryvale School and by substituting in its place the following:

Section 74. No right on red
A. Right turns by traffic west-bound on Maryvale Drive at the entrance to Maryvale School.

ARTICLE VIII

Stop and Yield Intersections

Section 80. Stop intersections shall be amended by adding there-to the following:

Street: MCPARLIN AVENUE;
Direction: East-west; Entrance
Street: EDEN LANE; Traffic
Stops: Southbound; Sign Location:
N.W. Corner

ARTICLE X

Parking, Standing and Stopping
Section 102. Parking prohibited in designated locations shall be amended by deleting therefrom the following:

B. No parking anytime
MARYVALE DRIVE, south side: from a point 200 feet west of the curbline of Cayuga Road to the east curbline of Union Road

Section 102. Parking prohibited in designated locations shall be amended by adding thereto:

A. No parking this side of street
WOODGATE DRIVE, east side: from the north curbline of LeHavre Drive to the south curbline of Barbados Drive (southerly east-west segment)

WOODGATE DRIVE, west side: from the north curbline of Barbados Drive (southerly east-west segment) to the south curbline of Barbados Drive (northerly east-west segment)

BARBADOS DRIVE, south, east and north sides: from the east curbline of Woodgate Drive to the east curbline of Philip Drive

B. No parking anytime

MARYVALE DRIVE, south side: from the west curbline of Cayuga Road to the east curbline of Union Road

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

Upon roll call

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)

COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 5, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 3a, 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 August, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 8, 1985

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

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board, in the course of its operation and in conjunction with the Town's Law Department and Police Department, has reviewed the said Ambulance Ordinance and evaluated its implementation and impact upon the provision of ambulance services to the residents of the Town of Cheektowaga; and

WHEREAS, as a result of such review and evaluation, certain amendments to said Ambulance Ordinance were recommended; and

WHEREAS, a public hearing concerning such amendments was duly held at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law; and

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Ordinance to incorporate such recommendations; NOW, THEREFORE, BE IT

RESOLVED that the Ambulance Ordinance shall be and hereby is amended as follows:

(a) Paragraph (1) of Section A-6 of the Ambulance Ordinance is hereby amended by deleting the existing text and adding the following sentence in lieu thereof.

"(1) Each applicant for a license as a driver/ attendant shall submit to a criminal history investigation by the Cheektowaga Police Department to determine if the applicant meets the criteria established in Section A-13(a) and (b), and shall"...

(b) The caption of Section A-13 is hereby amended to insert the word "Denial," after the word "for" and before the word "Suspension" therein.

(c) Paragraphs (a) and (b) of Section A-13 are hereby renumbered Paragraphs (c) and (d), respectively of said Section A-13.

(d) A new Paragraph (a) and Paragraph (b) of Section A-13 is hereby added to read as follows:

A-13 Grounds for Denial, Suspension or Revocation of a License

(a) An application for a driver/attendant license shall be denied for any of the following reasons:

- (i) A conviction for any felony;
- (ii) A conviction for any crime (other than a traffic offense) within the preceding ten (10) years; or
- (iii) A conviction for an offense for the violation of laws relating to theft, sex offenses or drug sale or possession within the preceding ten (10) years.

(b) An application for a driver's license shall be denied for any of the following reasons:

- (i) A conviction for Driving While Ability is Impaired (as defined in Section 1192-1 of the Vehicle and Traffic Law), or any comparable offense under the laws of another jurisdiction, within the preceding two (2) years; or
- (ii) Any series of convictions for traffic offenses which indicate a pattern of disregard for traffic safety.

Item No. 3b cont'd

(c) Same as "(a)" in original Ordinance.

(d) Same as "(b)" in original Ordinance.

and BE IT FURTHER

RESOLVED a copy of this Resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on August 5, 1985, and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town, and BE IT FURTHER

RESOLVED that the aforementioned amendments to the Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication *Aug. 8, 1985* ;
last publication *Aug. 8, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *9th*

day of *August*, 19*85*

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 5th day of August, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson
Seconded by Councilman
Gabryszak

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board, in the course of its operation and in conjunction with the Town's Law Department and Police Department, has reviewed the said Ambulance Ordinance and evaluated its implementation and impact upon the provision of ambulance services to the residents of the Town of Cheektowaga; and

WHEREAS, as a result of such review and evaluation, certain amendments to said Ambulance Ordinance were recommended; and

WHEREAS, a public hearing concerning such amendments was duly held at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law; and

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Ordinance to incorporate such recommendations; **NOW, THEREFORE, BE IT**

RESOLVED, that the Ambulance Ordinance shall be and hereby is amended as follows:

(a) Paragraph (1) of Section A-6 of the Ambulance Ordinance is hereby amended by deleting the existing text and adding the following sentence in lieu thereof:

"(1) Each applicant for a license as a driver/attendant shall submit to a criminal history investigation by the Cheektowaga Police Department to determine if the applicant meets the criteria established in Section A-13(a) and (b), and shall"

(b) The caption of Section A-13 is hereby amended to insert the word "Denial," after the word "for" and before the word "Suspension" therein.

(c) Paragraphs (a) and (b) of Section A-13 are hereby re-numbered Paragraphs (c) and (d), respectively of said Section A-13.

(d) A new Paragraph (a) and Paragraph (b) of Section A-13 is hereby added to read as follows:

A-13 Grounds for Denial, Suspension or Revocation of a License

(a) An application for a driver/attendant license shall be denied for any of the following reasons:

(i) A conviction for any felony;

(ii) A conviction for any crime (other than a traffic offense) within the preceding ten (10) years; or

(iii) A conviction for an offense for the violation of laws relating to theft, sex offenses or drug sale or possession within the preceding ten (10) years.

(b) An application for a driver's license shall be denied for any of the following reasons:

(i) A conviction for Driving While Ability is Impaired (as defined in Section 1192-1 of the Vehicle and Traffic Law), or any comparable offense under the laws of another jurisdiction, within the preceding two (2) years; or

(ii) Any series of convictions for traffic offenses which indicate a pattern of disregard for traffic safety.

(c) Same as "(a)" in original Ordinance.

(d) Same as "(b)" in original Ordinance.

and, BE IT FURTHER

RESOLVED, that a copy of this Resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on August 5, 1985, and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk, and **BE IT FURTHER**

RESOLVED, that the aforementioned amendments to the Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

Upon roll call

Supervisor:

Weber

Voting NAYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting NAYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 5

NAYES: 2

ABSENT: 0

STATE OF NEW YORK)

COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 5, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 3b, 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 August, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 8, 1985

Item No. 3c Councilman Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, 35 French Road Car Wash, Inc. has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by it and located at 35 French Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of July, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any: Compliance with section 10-10 of the Zoning Ordinance of the Town of Cheektowaga,

and

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

NOW, THEREFORE, BE IT RESOLVED that the application of 35 French Road Car Wash, Inc. for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned condition as recommended by the Cheektowaga Planning Board

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon Roll Call....

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

See next two (2) pages for legal description and AFFIDAVIT OF PUBLICATION

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND situated in the town of China, Albany county of Erie, and State of New York, being part of Lot No. 11A, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

beginning at the northeast corner of lands conveyed to SUN OIL COMPANY by deed recorded in the Erie County Clerk's office in Liber 7490 of deeds, page 208, said corner being in the southerly line of French Road, thence easterly along the southerly line of French Road as described in said deed recorded in the Erie County Clerk's office in Liber 7490 of deeds at page 240, 189.38 feet to a monument thence easterly and continuing along said southerly line of French Road, 301.50 feet to a point, thence at right angles southerly 78 feet to a point, thence south-easterly in a straight line 174.00 feet to a point in the easterly line of Union Road as widened (being the easterly line of parcel 12) distant 127 feet southerly from the southerly line of land conveyed to Sun Oil Company as aforesaid, thence northerly along said easterly line of Union Road, 127 feet to said southerly line of lands of the Sun Oil Company, thence easterly along the southerly line of the lands conveyed to the Sun Oil Company, 80.50 feet to the southeast corner of said lands, thence northerly along the easterly line of said lands, 248.50 feet to the point of beginning.

SUN OIL COMPANY

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication....*Aug. 8, 1985*.....;
last publication....*Aug. 8, 1985*.....;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this*9th*.....

day of*August*....., 19*85*.

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

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 5th day of August, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

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

ABSENT: 0

Motion by Councilman Jaworowicz
Seconded by Councilman J.V. Rogowski

WHEREAS, 35 French Road Car Wash, Inc. has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by it and located at 35 French Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of July, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any: Compliance with section 10-10 of the Zoning Ordinance of the Town of Cheektowaga, and

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

NOW, THEREFORE, BE IT RESOLVED, that the application of 35 French Road Car Wash, Inc. for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned condition as recommended by the Cheektowaga Planning Board

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

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. 1141, Township 10, Range 7 of the Buffalo Creek Reservations, bounded and described as follows:

BEGINNING at the northeast corner of lands conveyed to SUN OIL COMPANY by Deed recorded in the Erie County Clerk's Office in Liber 7490 of Deeds, page 208; said corner being in the southerly line of French Road; thence easterly along the southerly line of French Road as described in Deed recorded in the Erie County Clerk's Office in Liber 7450 of Deeds at page 240, 189.38 feet to a monument thence easterly and continuing along said southerly line of French Road, 301.50 feet to a point; thence at right angles southerly; 78 feet to a point; thence southwesterly in a straight line; 974.98 feet to a point in the easterly line of Union Road; as widened (being the easterly line of Parcel 24) distant 127 feet southerly from the southerly line of land conveyed to Sun Oil Company; as aforesaid; thence northerly along said easterly line of Union Road; 127 feet to said southerly line of lands of the Sun Oil Company; thence easterly along the southerly line of the lands conveyed to the Sun Oil Company; 204.80 feet to the southeast corner of said lands; thence northerly along the easterly line of said lands; 248.30 feet to the point of beginning.

Upon roll call

Supervisor:	
Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES:	7
NAYES:	0
ABSENT:	0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 5, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 3c, 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 August, 1985.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: August 8, 1985

Item No. 3d Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, 35 French Road Car Wash, Inc. has applied for a Special Permit for a car wash and gasoline sales on property located at 35 French Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 15th day of July, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, upon the following conditions, if any: Compliance with Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 35 French Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board.

Upon Roll Call....

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

See next two (2) pages for legal description and AFFIDAVIT OF PUBLICATION

SCHEDULE A

ALL THAT PART OF PARCEL OF LAND HEREIN IN THE TOWN OF CHOCOMA, COUNTY OF BIA, AND STATE OF MARYLAND, BEING PART OF LOT NO. 114, TOWNSHIP 10, RANGE 7 OF THE SUFIA CREEK RESERVATION, BOUNDARY AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LANDS CONVEYED TO SUN OIL COMPANY BY DEED RECORDED IN THE BIA COUNTY CLERK'S OFFICE IN LIBER 7490 OF BOOKS PAGE 208, SAID CORNER BEING IN THE SOUTHERLY LINE OF FRANCH ROAD, THENCE EASTERLY ALONG THE SOUTHERLY LINE OF FRANCH ROAD AS DESCRIBED IN DEED RECORDED IN THE BIA COUNTY CLERK'S OFFICE IN LIBER 7490 OF BOOKS PAGE 240, 187.36 FEET TO A MONUMENT, THENCE EASTERLY AND CONTINUING ALONG SAID SOUTHERLY LINE OF FRANCH ROAD, 301.50 FEET TO A POINT, THENCE AT RIGHT ANGLES SOUTHERLY, 78 FEET TO A POINT, THENCE SOUTHWESTERLY IN A STRAIGHT LINE, 87.00 FEET TO A POINT IN THE EASTERLY LINE OF UNION ROAD AS WIDENED (BEING THE EASTERLY LINE OF PARCEL 24) DISTANCE 127 FEET SOUTHERLY FROM THE SOUTHERLY LINE OF LANDS CONVEYED TO SUN OIL COMPANY, AS ACCORDING, THENCE NORTHERLY ALONG SAID EASTERLY LINE OF UNION ROAD, 127 FEET TO SAID SOUTHERLY LINE OF LANDS OF THE SUN OIL COMPANY, THENCE EASTERLY ALONG THE SOUTHERLY LINE OF THE LANDS CONVEYED TO THE SUN OIL COMPANY, 204.80 FEET TO THE POINT OF BEGINNING OF SAID LANDS, THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LANDS, 248.10 FEET TO THE POINT OF BEGINNING.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....*Aug 8, 1985*..... ;
last publication.....*Aug 8, 1985*..... ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this*9th*.....

day of*August*....., 19..*85*..

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

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 5th day of August, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, 35 French Road Car Wash, Inc. has applied for a Special Permit for a car wash and gasoline sales on property located at 35 French Road, Cheektowaga, New York pursuant to §6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 15th day of July, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, upon the following conditions, if any: compliance with Section 10-10 of the Zoning Ordinance of the Town of Cheektowaga and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the above-referenced property located 35 French Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 1141, Township 10, Range 7 of the Buffalo Creek Reservations, bounded and described as follows:

BEGINNING at the northeast corner of lands conveyed to SUN OIL COMPANY by Deed recorded in the Erie County Clerk's Office in Liber 7490 of Deeds, page 208; said corner being in the southerly line of French Road; thence easterly along the southerly line of French Road as described in Deed recorded in the Erie County Clerk's Office in Liber 7450 of Deeds at page 240, 189.38 feet to a monument thence easterly and continuing along said southerly line of French Road, 301.50 feet to a point; thence at right angles southerly; 78 feet to a point; thence southwesterly in a straight line; 974.98 feet to a point in the easterly line of Union Road; as widened (being the easterly line of Parcel 24) distant 127 feet southerly from the southerly line of land conveyed to Sun Oil Company; as aforesaid; thence northerly along said easterly line of Union Road; 127 feet to said southerly line of lands of the Sun Oil Company; thence easterly along the southerly line of the lands conveyed to the Sun Oil Company; 204.80 feet to the southeast corner of said lands; thence northerly along the easterly line of said lands; 248.30 feet to the point of beginning.

Upon roll call ...

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES:

7

NAYES:

0

ABSENT:

0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 5, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 3d, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 5th day of August, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 8, 1985

Item No. 4a Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 665 of the Laws of 1984 which permits local municipalities to participate in an optional early retirement program; and

WHEREAS, the Labor-Management Committee of the Town Board has met with representatives of the New York State Retirement System and Town of Cheektowaga Employees' Association to discuss participation in the program by the Town and has caused a survey to be conducted of eligible employees to determine the impact of such program on the Town; and

WHEREAS, the Labor-Management Committee of the Town Board has recommended that a public hearing be held to solicit additional commentary and information relating to the program and to consider the adoption of a Local Law to implement the program; NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing on the proposed adoption of a "Local Law Electing a Retirement Program Authorized by Chapter 665, Laws of 1984" be held on the 19th day of August, 1985 at 6:30 P.M., at the Town Law, corner of Broadway and Union Roads in said Town of Cheektowaga for the purpose of considering the advisability of adopting the following "Local Law Electing a Retirement Program Authorized by Chapter 665, Laws of 1984":

A LOCAL LAW electing a retirement incentive program as authored by Chapter 665, Laws of 1984 for the eligible employees of the Town of Cheektowaga, New York.

BE IT ENACTED by the Town Board of the Town of Cheektowaga, New York as follows:

Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

Section 2. The commencement date of the retirement incentive program shall be September 1, 1985.

Section 3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be 50 days in length.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.

Section 5. This act shall take effect immediately;

and BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to publish the following Notice of Public Hearing in the CHEEKTOWAGA TIMES on August 8, 1985.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Town Board of Cheektowaga on the 19th day of August, 1985 at 6:30 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 following proposed Local Law:

No. 17

Item No. 4a cont'd

Local Law No. 1 of the Year 1985

A Local Law Electing A Retirement Program
Authorized by Chapter 665, Laws of 1984.

Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

Section 2. The commencement date of the retirement incentive program shall be September 1, 1985.

Section 3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be 50 days in length.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.

Section 5. This act shall take effect immediately;

DATED: Cheektowaga, New York
August 5, 1985

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

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....*Aug 8, 1985*..... ;
last publication.....*Aug 8, 1985*..... ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this*9th*.....

day of*August*....., 19.....*85*.....

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

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

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

LEGAL NOTICE

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Town Board of Cheektowaga on the 19th day of August, 1985 at 6:30 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 following proposed Local Law:

Local Law No. 1 of the Year 1985
A Local Law Electing A Retirement Program Authorized by Chapter 665, Laws of 1984.

§1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

§2. The commencement date of the retirement incentive program shall be September 1, 1985.

§3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be 50 days in length.

§4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.

§5. This act shall take effect immediately.

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

RICHARD M. MOLESKI
Town Clerk

DATED: August 5, 1985
PUBLISH: August 8, 1985

MEETING NO. 16
August 5, 1985

Item No. 4b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Ronald & Irene Kmiotek have made application and requested a special use permit for property located at 480 Kennedy Road for use as a collision shop, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 19th, 1985, at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....Aug. 8, 1985.....;
last publication.....Aug. 8, 1985.....;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this9th.....

day ofAugust....., 1985.

Cecelia Westoven

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

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 19th day of August 1965, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Ronald & Irene Kmiotek for a Special Permit to operate collision shop on property located at 480 Kennedy Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number twenty-three (23), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers sixty (60), sixty-one (61), sixty-two (62) and sixty-three (63) as shown on a map filed in Erie County Clerk's office under Cover Number 342.

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 6, 1965

Item No. 5a Motion by Supervisor, Seconded by Councilman J. Rogowski

WHEREAS, the New York State Legislature recently enacted a new Section 1299-c to the Vehicle and Traffic Law of the State of New York which law requires drivers and front-seat passengers in automobiles being driven in New York State to wear seat belts, and

WHEREAS, the Supervisor of the Town of Cheektowaga believes that such mandatory legislation is an unwarranted intrusion into the lives of the adult motoring public and denies them the right of choice, and

WHEREAS, by enactment of such law, the New York State Legislature has taken us one step closer to a government which dictates the day-to-day behavior of its citizens when such behavior does not violate the rights of another; and in addition, such mandatory legislation has now effectly criminalized what heretofore had been acceptable and innocent, NOW, THEREFORE, BE It

RESOLVED that this Town Board hereby goes on record as being adamantly opposed to the enactment and enforcement of Section 1299-c of the Vehicle and Traffic Law of the State of New York, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes the New York State Legislature and Governor Cuomo to repeal Section 1299-c of the Vehicle and Traffic Law, and BE IT FURTHER

RESOLVED that residents of the Town of Cheektowaga and the County of Erie be and hereby are urged to let their State Senators and State Assemblymen know that they are opposed to the mandatory Seat Belt Law by signing petitions which are on file in the Supervisor's Office, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Board, in response to an overwhelming demand from our citizens, request that the Governor of the State of New York, and the Assembly and Senate of the State of New York, take such action as will repeal the "Seat Belt Law", and will leave the use of seat belts discretionary with the drivers of automobiles within the State of New York, and BE IT FURTHER

RESOLVED that copies of this resolution be forwarded to Governor Mario Cuomo, Senator Dale M. Volker, Assemblyman Dennis T. Gorski and to the Clerks of the towns, villages and cities in the County of Erie.

Upon Roll Call....

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

Item No. 5b Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski to table resolution Memorializing N.Y.S. Dept. of Transportation re: reconstruction of Harlem Road northerly to Wehrle Drive.

Upon Roll Call....

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

Item No. 6 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, previously it had been required by the Erie County Board of Elections that the Town of Cheektowaga maintain and operate 111 polling places for the purpose of registering voters each year, and

WHEREAS, more than one-half of the qualified voters are registered in the Town of Cheektowaga as required by the laws of the State of New York as a prerequisite for consolidation, and

Item No. 6 cont'd

WHEREAS, the consolidation of 111 Election Districts will result in substantial savings of approximately \$25,000, and

WHEREAS, the consolidation will also eliminate and reduce many of the functional details; namely,

1. The manpower requirements
2. Distribution of supplies to election inspectors
3. Mailing of notices to polling places and election inspectors
4. Rental of polling places
5. Use of Town recreational and facility buildings
6. Various processing details
7. Many other time-consuming and operational requirements for the purpose of registration.

and

WHEREAS, Federal legislation has provided for mail-in registration which has proved highly successful in that many citizens have made use of this procedure for registration, and

WHEREAS, the Town Clerk has petitioned the Erie County Board of Elections for permission to consolidate for registration purposes, and

WHEREAS, the Erie County Board of Elections has granted said permission to the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is authorized to consolidate for Registration Days only the 111 Election Districts to one central location, namely, the Council Chambers, Cheektowaga Town Hall, Broadway Broadway and Union Road, Cheektowaga, New York.

Upon Roll Call....

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

Item No. 7 Motion by Supervisor Weber, Seconded by Councilman J. Rogowski

WHEREAS, Sugg Road is a County road situate in the Town of Cheektowaga located between Genesee Street and Aero Drive, and

WHEREAS, a leasing agent for properties fronting on Sugg Road has requested that the Town change the name of Sugg Road in order to encourage more tenants to rent property along this road, and

WHEREAS, subdivision nine of Section 64 of the Town Law of the State of New York empowers the Town Board to change and alter names of streets situated in the Town, and

WHEREAS, the Erie County Department of Public Works, Division of Highways, has notified the Town that it has no objection to a change in the name of Sugg Road, and

WHEREAS, in re-naming Sugg Road, this Town Board desires to recognize the accomplishments of the late Benedict T. Holtz, who faithfully served the Town for twenty-seven years as Supervisor and Town Clerk, NOW, THEREFORE, BE IT

RESOLVED that Sugg Road be and hereby is re-named Holtz Drive, and BE IT FURTHER

Item No. 7 cont'd

RESOLVED that the Town Clerk be and hereby is directed to notify the Board of Assessors of the Town of Cheektowaga, the Cheektowaga Planning Board, the Erie County Clerk, the Erie County Engineer, the Erie County Department of Public Works, Division of Highways, and the United States Post Office of the change in name of Sugg Road to Holtz Drive by forwarding each of these agencies a copy of this resolution, and BE IT FURTHER

RESOLVED that the Town Clerk shall also forward a copy of this resolution to the owners of property located on Sugg Road.

Upon Roll Call....

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

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

WHEREAS, the Losson Green Estates Subdivision was accepted and approved by this Town Board by resolution dated December 7, 1984 with construction on this subdivision having been started, and

WHEREAS, the applicant of said Losson Green Estates Subdivision has submitted a revised map which re-subdivides Sublots 7 thru 17 of the original Map Cover #2461 fronting on Losson Road so as to increase the number of sublots, the purpose of which is to construct single family dwellings instead of two family dwellings as originally planned, NOW, THEREFORE, BE IT

RESOLVED that the revised map of Losson Green Estates Subdivision as submitted be and hereby is accepted pursuant to the terms as set forth in the original December 7, 1984 approval.

Upon Roll Call....

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

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

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

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

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

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

Upon Roll Call....

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

Item No. 10a Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to table resolution authorizing Town Board to execute Memorandum of Agreement No. 85-1 (Cheektowaga Captains & Lieutenants Association).

Upon Roll Call....

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

Item No. 10b Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to table resolution authorizing Town Board to execute Memorandum of Agreement No. 85-2 (Cheektowaga Captains & Lieutenants Association).

Upon Roll Call....

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

Item No. 10c Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to table resolution authorizing Town Board to execute Memorandum of Agreement No. 85-1 (Cheektowaga Police Club, Inc.).

Upon Roll Call....

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

Item No. 10d Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to table resolution authorizing Town Board to execute Memorandum of Agreement No. 85-2 (Cheektowaga Police Club, Inc.).

Upon Roll Call....

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

Item No. 11a Motion by Councilman W. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga is eligible for partial reimbursement of funds expended for youth programming during Fiscal Year 1986, and

WHEREAS, the Town of Cheektowaga will submit a State Aid application to the New York State Division for Youth for funding under the following Project Funding Categories: Youth Bureau, Youth Service, Youth Initiatives and Recreation, NOW, THEREFORE, BE IT

RESOLVED that said application is approved contingent upon the appropriation of funds in the adopted 1986 Town of Cheektowaga budget and that the Supervisor is hereby directed and authorized to duly execute and present same to the New York State Division for Youth.

Upon Roll Call....

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

Item No. 11b Authorization for Supervisor to execute application to U.S. Dept. of Housing & Urban Development for loan under Section 108 Loan Guarantee Program re: acquisition and/or development of Westinghouse facility.

This item was withdrawn.

Item No. 11c Motion by Councilman J. Rogowski, Seconded by Supervisor Weber

WHEREAS, Barry M. Weinstein has made application for a HUD Section 108 Loan through the Town of Cheektowaga for the acquisition of the Westinghouse facility adjacent to the Greater Buffalo International Airport, and

WHEREAS, a public hearing was held on Monday, April 1, 1985, at 6:30 P.M. at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, regarding an application for an economic development loan of up to \$2.5 million to the Department of Housing and Urban Development under the Section 108 Loan Guarantee Program and any necessary amendment of the Town's 1984-85 Community Development Block Grant application, and

WHEREAS, as a result of said public hearing it appears that the Section 108 Loan Guarantee Program as related to the proposed purchase of the Westinghouse facility on Genesee Street would be beneficial to the Town in job retention and job creation as required by said Section 108 of the Department of Housing and Urban Development, and

WHEREAS, since said public hearing, Buffalo Airport Center, Inc. (a wholly owned subsidiary of Snyder Corporation) has joined in said application with Barry M. Weinstein, d/b/a Buffalo Airport Center Associates, as a partnership, and

WHEREAS, the Town of Cheektowaga has demanded that certain conditions and contingencies be met by the developer and/or its agents and assigns, and the developer has indicated to the Town its potential ability to meet said conditions and contingencies, and

WHEREAS, various meetings have been held among said developer, the Town Board and the Cheektowaga Economic Development Corporation and its Loan Committees, and

WHEREAS, the Economic Development Corporation has outlined various recommendations, terms and conditions regarding said loan, and

WHEREAS, said developer has indicated to the Town by letter dated July 26, 1985, and received by the Town on July 29, 1985, its agreement to the terms and conditions as set forth in said letter, which is attached hereto and made a part hereof, and

WHEREAS, the developer further indicates that it may acquire the property prior to obtaining said loan, and requests that, in such event, it be allowed to use said funds for the development of said property, and

WHEREAS, said terms and conditions are hereby accepted by the Town Board for a loan in the sum of \$2,000,000.00, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor is hereby directed to submit the proper application to the U.S. Department of Housing and Urban Development under Section 108 Loan Guarantee Program on behalf of the Town in the sum of \$2,000,000.00 to Buffalo Airport Center, Inc. and Buffalo Airport Center Associates for the acquisition and/or development of the Westinghouse facility.

Upon Roll Call....

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

*See next two (2) pages for letter

SNYDER-DARIEN CORP.
690 DELAWARE AVENUE, BUFFALO, NEW YORK 14209
716/881-6200

July 26, 1985

Honorable Daniel E. Weber
Supervisor of the Town of Cheektowaga
Honorable Members of the Town Council
of the Town of Cheektowaga
Town Hall
Broadway and Union Road
South Cheektowaga, NY 14227

Re: Westinghouse Plant/HUD 108 Loan

Gentlemen:

On July 1, members of our partnership consisting of Buffalo Airport Center, Inc. (a wholly owned subsidiary of Snyder Corp.) and Barry M. Weinstein, d/b/a Buffalo Airport Center Associates, met with members of the Cheektowaga Economic Development Committee to discuss terms and conditions for a HUD 108 Loan for the acquisition of the Westinghouse facility adjacent to the Greater Buffalo International Airport.

As a result of the above meeting, our partnership agreed to the following terms and conditions for a HUD 108 Loan.

1. Amount of Loan

\$2,000,000 for acquisition of the facility (interim financing permitted pending the HUD 108 Loan Closing).

2. Term

6 year term with 20 year amortization

3. Interest

The applicable Federal rate

4. Fees

1/2 of 1% per annum of outstanding loan balance and all closing costs including HUD filing fees to be paid to Town by borrower.

RECEIVED

JUL 29 1985

DANIEL E. WEBER
SUPERVISOR

Honorable Daniel E. Weber
Honorable Members of the Town Council
July 26, 1985
Page 2

5. Security for Loan

Letters of credit in the amount of \$2,000,00 with the Town of Cheektowaga as beneficiary. Letters to be drawn down in the event of default.

6. Job Creation and Federal Compliance

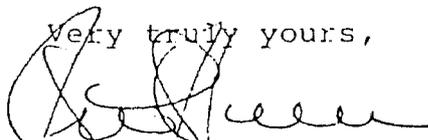
200 new jobs to be created at the facility within 2 years and the partnership and tenants to comply with all applicable governmental mandates in connection with the granting of this loan.

7. Due on Sale Clause and Sale Limitations

- a. Undeveloped lands north of the access road of the north parking lot may be sold without restriction.
- b. No sale of any other portion of the facility to the NFTA without the prior written approval (not to be unreasonably withheld) of the Town of Cheektowaga.
- c. A sale of the property to a third party other than the NFTA shall at the Town of Cheektowaga's option, trigger the Town's right to call the loan.

We are planning and diligently pursuing a July 31, 1985, closing with Westinghouse. We have arranged a \$4,000,000 Bond Issue with the Erie County Industrial Development Agency and a \$4,000,000 Conventional Loan from Chase Lincoln First Bank, N.A. of which \$2,000,00 is interim financing in anticipation of the subject HUD 108 Loan. We would appreciate speedy consideration of our loan application and look forward to a successful project for our partnership and for the Town of Cheektowaga.

Very truly yours,



PETER P. ZALESKI
President

PPZ/ekm

cc: James Mietlicki, Esq.

Item No. 12a Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga Employees' Association has filed a grievance against the Town of Cheektowaga, dated May 23, 1985, relating to Eugene Ruszkowski; and

WHEREAS, the resolution of labor disputes by settlement and compromise is favored by the courts, administrative tribunals and this Town Board; and

WHEREAS, representatives of the Town and Association have discussed resolution of the aforementioned grievance; NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the terms and conditions set forth in a certain "Memorandum of Understanding", dated July 23, 1985 between the Town and Association, a copy of which is annexed hereto, and hereby authorizes the Supervisor to execute the Memorandum of Understanding on behalf of the Town.

Upon Roll Call....

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

* See next page for "Memorandum of Understanding"

Memorandum of Understanding

THIS MEMORANDUM OF UNDERSTANDING is made this 23 day of July, 1985 by and between the Town of Cheektowaga ("Town") and the Town of Cheektowaga Employees Association ("Association").

WHEREAS, the Town and Association wish to settle a certain grievance dated May 23, 1985 relating to Eugene Ruszkowski,

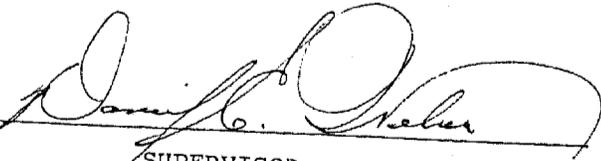
NOW THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Anthony Broniszewski a General Mechanic at Town Hall was absent due to illness from March 4, 1985 to May 20, 1985.
2. During his absence, Eugene Ruszkowski, a Cleaner at Town Hall, performed certain tasks and jobs related to the position of General Mechanic. The Town hereby agrees to pay Mr. Ruszkowski compensation for such services as General Mechanic at a rate which is the difference in the salary of a General Mechanic and the salary of a Cleaner for a period of thirty (30) days.
3. The Town shall make the necessary adjustments to Mr. Ruszkowski's compensation within fourteen (14) days of the execution of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day first above written.

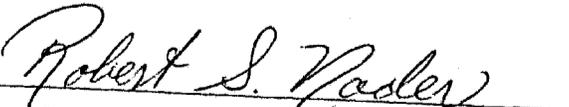
TOWN OF CHEEKTOWAGA

By


SUPERVISOR

TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

By



MEETING NO. 16
August 5, 1985

Item No. 12b Motion by Councilman W. Rogowski, Seconded by Councilman Johnson

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit contains an Appendix "D" entitled "Additional Salary Exclusion", and

WHEREAS, the Town of Cheektowaga Supervisory Unit has formally requested this Town Board to delete Appendix "D" from such agreement and the President of such union has executed the necessary Memorandum of Agreement to effectuate this deletion, and

WHEREAS, this Town Board is agreeable to deleting Appendix "D" from such agreement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to execute the Memorandum of Agreement with the Town of Cheektowaga Supervisory Unit to delete Appendix "D" from the collective bargaining agreement.

Upon Roll Call....

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

Item No. 12c Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, the Town of Cheektowaga is committed to pursuing economic development activities in order to preserve existing jobs, create new job opportunities for Town residents and improve the Town's tax base, and

WHEREAS, in accordance with that goal, the Town has created the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development and growth within the Town, and

WHEREAS, the Department of Housing & Urban Development has strongly encouraged the use of Community Development Block Grant funds for local economic development activities, and

WHEREAS, funds were allocated in the Town's C.D.B.G. application to H.U.D. in the amount of \$250,000 for the 1985-86 Program Year and \$200,000 for the 1984-85 Program Year, and

WHEREAS, the Cheektowaga Economic Development Corporation has received program income as a result of economic development loans made during the past year utilizing 1984-85 Program Year funds, NOW, THEREFORE, BE It

RESOLVED that the Supervisor be and hereby is directed to enter into agreement with the Cheektowaga Economic Development Corporation for the purpose of allocating Community Development Block Grant funds in the amount of \$250,000 from the 1985-86 Program Year and reallocating a total of \$146,285.06 for the 1984-85 Program Year.

Upon Roll Call....

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

Item No. 12d Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga will receive funds from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, for the 1985-86 Program Year, and

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

Item No. 12d cont'd

WHEREAS, In-Home Support Services Corporation of Western, New York has submitted a proposal to the Town 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 1985-86 Community Development Block Grant application, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to sign an Agreement with In-Home Support 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 In-Home Support Services be in the amount of \$5,300.00, said fee to be paid from Fiscal Year 1985-86 Community Development Block Grant funds.

Upon Roll Call....

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

Item No. 12e Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, the Town will receive funding from the U.S. Department of Housing and Urban Development under the Housing Community Development Act of 1974, as amended, and

WHEREAS, one of the purposes of said act is to expand and improve the quality and quantity of community services which are essential for sound community development and for the development of viable urban communities, and

WHEREAS, the Housing Assistance Center of Niagara Frontier, Inc., located at 1233 Main Street, Buffalo, New York 14209 has submitted a proposal to the Town for the provision of such services for Town residents, including but not limited to comprehensive housing counseling, rent delinquency and mortgage default counseling, and provision of information to low and moderate income residents, and

WHEREAS, funding for the provision of such services has been included in the Town's 1985-86 Community Development Block Grant Application, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to sign an Agreement with the Housing Assistance Center of Niagara Frontier, Inc., for the provision of said services, and BE IT FURTHER

RESOLVED that the fee paid to the Housing Assistance Center be in the amount of \$6,500.00, said amount to be paid from Fiscal Year 1985-86 Community Development Block Grant Funds.

Upon Roll Call....

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

Item No. 12f Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

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

Item No. 12f cont'd

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

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

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

97 Alaska Street - \$4,171.60
59 Peinkofer - \$1,712.00

and BE IT FURTHER

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

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

Upon Roll Call....

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

Item No. 12g Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has applied for and received a grant of \$200,000 in Rental Rehabilitation funds from the New York State Division of Housing and Community Renewal, and

WHEREAS, said funds must be used for the rehabilitation of rental units in the Cedargrove Heights target area, and

WHEREAS, Properties Unlimited has filed applications for Rental Rehabilitation Loan Program funds to rehabilitate its rental housing units in Cedargrove Heights, and

WHEREAS, said applications have been reviewed by the Director of Community Development who has recommended that Rental Rehabilitation Program funds be loaned to Properties Unlimited for the below listed properties, NOW, THEREFORE, BE IT

RESOLVED that Rental Rehabilitation Loans, in the amount of \$20,000 per building, are hereby authorized for the following properties, owned by Properties Unlimited:

4 - 10 Shelby
15A - D Trent Square
3A - D Trent Square
11A - D Trent Square
21 - 23 Allison
21A - D Glenwood
40A - D Glenwood
27A - D Windwood
64A - D Windwood

Item No. 12g cont'd

and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed to sign loan agreements and all related legal documents, on behalf of the Town, with Properties Unlimited for said Rental Rehabilitation loan funds.

Upon Roll Call....

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

Item No. 12h Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

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

WHEREAS, funds are currently on deposit with M & T Bank for said program, the purpose of which is to make low interest loans to low and moderate income homeowners for the rehabilitation of their property, and

WHEREAS, the Department of Housing and Urban Development has given its approval to the Town for the continuation of said program in conjunction with M & T Bank, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to enter into agreement with M & T for their continued participation in the Town of Cheektowaga's Housing Rehabilitation Loan Program.

Upon Roll Call....

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

Item No. 12i Motion by Councilman W. Rogowski, Seconded by Councilman J. Rogowski

WHEREAS, the Town of Cheekowaga will sponsor a Polish-American Arts Festival from August 16-18, 1985 in Cheektowga Town Park, 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 sign all agreements necessary to secure the services of various performing artists and craftsmen for participation in the 1985 Polish-American Arts Festival.

Upon Roll Call....

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

Item No. 13 Permission for Town's Ambulance Service to station ambulance in Town Park for 1985 summer season.

Item No. 14 Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Mid-Atlantic Softball Organization will be bringing thirteen softball teams from the mid-Atlantic region to John C. Stiglmeier Park on August 10 and 11, 1985 for a regional fast-pitch tournament, and

Item No. 14 cont'd

WHEREAS, members from these thirteen teams will be staying in hotels in the Town and will be patronizing business establishments in the Town during their stay, thereby stimulating the economy of the Town, and

WHEREAS, the Mid-Atlantic Softball Organization has requested permission from the Town to sell non-alcoholic beverages and T-shirts in John C. Stiglmeier Park on August 10th and 11th during the fast-pitch tournament, and

WHEREAS, this Town Board desires to accomodate the Mid-Atlantic Softball Organization and to encourage organizations like this to come into the Town, thereby stimulating the economy of the Town, NOW, THEREFORE, BE IT

RESOLVED that the Mid-Atlantic Softball Organization be and hereby is authorized to conduct its regional fast-pitch tournament in John C. Stiglmeier Park on August 10-11, 1985, and BE IT FURTHER

RESOLVED that the Mid-Atlantic Softball Organization be and hereby is also authorized to sell non-alcoholic beverages and T-shirts in John C. Stiglmeier Park on August 10-11, 1985 during its regional fast-pitch tournament.

Upon Roll Call....

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

Item No. 15 Motion by Councilman J. Rogowski, Seconded by Supervisor Weber

WHEREAS, Villa Maria College located in the Town of Cheektowaga, is celebrating their 25th Anniversary and have planned many special events to commence this occasion including a parade in the Town of Cheektowaga as a kick-off to start events, and

WHEREAS, this educational institution has requested the Cheektowaga Town Board to grant permission to assemble in the Cheektowaga Town Park for purposes of commencing said parade, and

WHEREAS, the Town is conscious of the numerous educational and cultural benefits derived from said educational institution, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby grants Villa Maria College permission to assemble in the Town Park and to parade down Harlem Road to Genesee Street and to Pine Ridge Road and then finally back to Villa Maria College on Saturday, September 28, 1985 with an approximate starting time of 11:00 A.M. and BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is requested to provide all proper security escort service for said event.

Upon Roll Call....

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

Item No. 16 Authorization for Villa Maria College to conduct parade
This item was withdrawn.

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

WHEREAS, the County of Erie, by and through its Department of Health, will be sponsoring free rabies inoculation clinics throughout Erie County in September of this year, and

Item No. 17 cont'd

WHEREAS, the aforesaid clinics will be located at several sites in Erie County, and

WHEREAS, according to an enumeration conducted in 1982 by the Town Clerk, there are approximately 16,499 dogs in the Town of Cheektowaga, and

WHEREAS, there are a great number of senior citizens and unemployed residents in the Town of Cheektowaga who are unable to afford the approximately \$15.00 fee for rabies vaccinations for their dogs, and

WHEREAS, Erie County Legislator Richard A. Slisz has arranged to schedule a free rabies inoculation clinic in the Town of Cheektowaga on Wednesday, September 18, 1985, and

WHEREAS, the Town Superintendent of Highways has stated that the Town Highway Garage would be available for the aforesaid clinic, and

WHEREAS, in 1984, 912 dogs were vaccinated in the Town of Cheektowaga through the Erie County Department of Health free rabies inoculation clinic, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Department of Health be and hereby is authorized to use the Town Highway Garage on Wednesday, September 18, 1985 for its free rabies inoculation clinic, and BE IT FURTHER

RESOLVED that Town residents are encouraged to take advantage of this free rabies inoculation clinic by bringing in their dogs on September 18, 1985 at the Town Highway Garage.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Gabryszak, Seconded by Councilman Johnson to table resolution authorizing purchase of computer equipment to standardize present equipment.

Upon Roll Call....

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

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

WHEREAS, by resolution dated June 3, 1985, this Town Board requested bids for the purchase of the following motor oils:

Kendall SAE 15W40/Super D Select Motor Oil
API services SS, CC & CD to meet Mack EOK

Kendall 15-40 Super D - API services SF, CC
& CD, Mack Specs EOK

and such bids were received on June 17, 1985, and

WHEREAS, the factory representative for Mack trucks (which the Town owns) has stated that the recently purchased Town trucks should use only Kendall oil since they were started with Kendall oil and since less maintenance for such trucks would be necessary if the Town continued to use Kendall oil, and

WHEREAS, the only bidder who submitted bids for the above mentioned Kendall oils was Petroleum Sales and Service, Inc., and

Item No. 19a cont'd

WHEREAS, the Town Highway Superintendent has recommended that the bids for the above mentioned Kendall oils be awarded to Petroleum Sales and Service, Inc., NOW, THEREFORE, BE IT

RESOLVED that bids for the following Kendall oils be and hereby are awarded to Petroleum Sales and Service, Inc., 300 Ohio Street, Buffalo, New York 14204 at the following respective bid prices:

Kendall SAE 15W40/Super D Select Motor Oil API services SS, CC & CD to meet Mack EOK	\$ 3.80 Gal. 209.00 Drum
Kendall 15-40 Super D - API services SF, CC & CD. Mack Specs EOK	\$ 4.01 Gal. 220.55 Drum

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 19b Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, bids were duly received by this Town Board at a public bid opening held on July 15, 1985 for Two 3/4 ton Crew Cab Pick-up Trucks for the Highway Department, as a result of advertisement thereof and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed, NOW, THEREFORE, BE It

RESOLVED that the bid be awarded to Maier-Schule GMC, Inc., 1745 Walden Avenue, Cheektowaga, New York 14225 to furnish the following:

Two (new) 1986 GMC 3/4 ton Crew Cab Pick-up trucks @ \$12,195.00
with a net price for two of \$24,390.00

said bidder being the lowest responsible bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 20a Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 102 Brookedge Road, Depew, New York 14043, SBL #114.16-7-39 and according to the Assessors' Office is owned by Michael Pimpo, Allenwood Federal Prison Dorm #6, Montgomery, Pennsylvania 17752, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Item No. 20a cont'd

Upon Roll Call....

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

Item No. 20b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property known as 43 Rosedale Drive, Depew, New York 14043, SBL #91.52-5-6 and according to the Assessors' Office is owned by Kulback's Construction, Inc., 6363 Transit Road, Depew, New York 14043, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20c Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 3 A - D Trent Square, Cheektowaga, New York, 14225 (SBL #91.14-12-17) and according to the Assessors' Office is owned by Eugene Jason, Bowmansville, New York 14206, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20d Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on William Street between Starlight & Tamark, Cheektowaga, New York, (SBL #113.56-5-19) and according to the Assessor's Office is owned by John Michalik & W, Buffalo, New York 14206, and

Item No. 20d cont'd

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting the removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred by assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 20e Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on William Street, Northeast corner of Vern Lane, Cheektowaga, New York, (SBL #113.57-3-11) and according to the Assessors' Office is owned by Anthony L. Pantera, , Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 21 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, Douglas S. Citron, Secretary of the 100 Club of Buffalo, Inc. has requested the Town's participation in the 100 Club of Buffalo, Inc. Honor Guard Procession for their "Patrolmen's Appreciation Baseball Eve" on August 3, 1985, and

WHEREAS, this Town Board is proud of its police officers and desires them to receive due recognition for their dedicated law enforcement activities, and wishes to allow them to participate in the aforesaid Honor Guard Procession, and

WHEREAS, the following named officers participated in the Honor Guard Procession for the 100 Club of Buffalo, Inc. Policemen's Appreciation Baseball Eve on Saturday, August 3, 1985:

Sargeant Daniel Conley
Patrolman Phil Williams
Patrolman Raymond Nowicki
Sargeant Richard Chamberlin
Patrolman Daniel Whitehead

NOW, THEREFORE, BE IT

Item No. 21 cont'd

RESOLVED that this Town Board hereby retroactively authorizes the above-named police officers to participate in the aforementioned Honor Guard Procession and to receive time off if they were scheduled to work or receive compensatory time if they were not scheduled to work on August 3, 1985.

Upon Roll Call....

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

Item No. 22 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, a vacancy was created in the Town Police Department in the position of Detective due to the recent retirement of Joseph Cieslik, and

WHEREAS, this Town Board desires to fill the Detective vacancy from within the Police Department, and

WHEREAS, on June 17, 1985, the Chief of Police posted a notice of a vacancy in the Detective position on a bulletin board in the police station, NOW, THEREFORE, BE IT

RESOLVED that this Town Board declares that a vacancy in the position of Detective exists in the Police Department as of June 17, 1985, and BE IT FURTHER

RESOLVED that in accordance with Section 3.03 of the Agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc., the Town Board acknowledges and ratifies the June 17, 1985 posting of the Detective vacancy in the Police Department.

Upon Roll Call....

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

Item No. 23 Motion by Councilman W. Rogowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that Brian Mikler, previously hired as a Youth Leader in the Cheektowaga Conservation Corps. be elevated to the position of Trainee Supervisor, Level II, at a salary rate of \$5.25 per hour, retroactive to 7/26/85 (7310.1811), and

BE IT FURTHER RESOLVED that Chris Kowalewski be elevated to the position of Youth Leader - at a salary of \$3.75, retroactive to 8/1/85 (7310.1812), and

BE IT FURTHER RESOLVED that the below listed individuals be terminated from the Cheektowaga Conservation Corps Program:

Keith Hennessy
Laurie Miller
Shawn Bolognese
Kim Kurdys
Lisa Cascio
Michael Pilat

Upon Roll Call....

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

MEETING NO. 16
August 5, 1985

Motion by Councilman J. Rogowski, Seconded by Supervisor Weber to dispense with the reading of the names in Item Nos. 24a, 24b, 24c, 24d.

Upon Roll Call....

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

Item No. 24a Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

BE IT RESOLVED that the following individual hired as Temporary Clerk-Typist in the Cheektowaga Justice Court, be and hereby is terminated:

Barbara Lee Boehringer
Depew, New York

Effective
Immediately

Upon Roll Call....

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

Item No. 24b Motion by Councilman Johnson, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual, hired as a Seasonal Employee in the Assessors' Office, be and hereby is terminated effective immediately:

Kathleen M. Fusco
Cheektowaga, New York 14225

Upon Roll Call....

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

Item No. 24c Motion by Councilman Kowal, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001

	<u>Effective</u>
William Knolhoff	7/16/85
David Lacki	7/12/85
Harry Rogalski	8/31/85
Joseph Dolecki	8/31/85
John Wiercioch	8/30/85
Randy Palmisano	8/31/85
John Slisz	8/31/85
Willard Kratzke	8/30/85
Stanley Siejak	8/30/85
John Bratek	8/30/85

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

Joseph Stallone 8/30/85

Item No. 24c cont'd

Upon Roll Call....

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

Item No. 24d Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals, hired as Seasonal Employees, be and hereby are terminated effective as follows:

SANITATION DEPARTMENT

Bannister, William	8/2/85
Ciechanski, Daniel	8/9/85
Czwojdak, Daniel	7/19/85
Kreuzer, David	8/2/85
Orlikowski, David	8/2/85
Urbanski, Richard	8/16/85

Upon Roll Call....

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

Item No. 25a Motion by Councilman Johnson, Seconded by Councilman W. Rogowski

WHEREAS, a vacancy exists in the Cheektowaga Facilities Department for the position of Maintenance Man Promotional, NOW, THEREFORE, BE It

RESOLVED that the Cheektowaga Town Board hereby appoints Christopher Taber, Cheektowaga, New York, 14206 to the Promotional position of Maintenance Man retroactive to July 8, 1985.

Upon Roll Call....

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

Item No. 25b Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, there is an opening for a Motor Equipment Operator, Class "A", in the Sewer Maintenance Department, and

WHEREAS, the opening was properly posted for a period of ten (10) working days as per the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association, and

WHEREAS, two (2) equal seniority applicants were given the opportunity to demonstrate their ability to operate all of the Sewer Maintenance Department equipment in a safe, efficient manner, NOW, THEREFORE, BE IT

RESOLVED that Guy Meyers of , Cheektowaga, New York 14227, as the most senior applicant having demonstrated proficiency in the handling of all Sewer Maintenance Department equipment, as recommended by his working foreman, is hereby appointed to the position of Motor Equipment Operator, Class "A" in the Sewer Maintenance Department at the current wage rate for said position effective August 6, 1985.

Item No. 25b cont'd

Upon Roll Call....

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

Item No. 25c Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, effective June 26, 1985 a vacancy was created in the position of Temporary Clerk-Typist in the Justice Court when Barbara Lee Boehringer terminated her employment with the Town, and

WHEREAS, the Town Justices have expressed their desire that this position be filled as soon as possible, and

WHEREAS, the Town of Cheektowaga Employees' Association has agreed to waive the posting required by Section 19.02 of the bargaining agreement, and

WHEREAS, the civil service list for Clerk-Typist was properly canvassed and insufficient positive responses were received, thus allowing the Town to choose an individual not on such list, and

WHEREAS, both Town Justices have recommended that Dawn Shane be appointed Temporary Clerk-Typist in their department, and

WHEREAS, the Town Board desires to appoint Ms. Shane to the position of Temporary Clerk-Typist, NOW, THEREFORE, BE IT

RESOLVED that Dawn Shane of Cheektowaga, New York 14225, be and hereby is appointed provisionally to the position of Temporary Clerk-Typist at a salary in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association; said appointment being effective immediately.

Upon Roll Call....

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

Motion by Councilman Kowal, Seconded by Councilman Gabryszak to dispense with the reading of names in Item Nos. 26a, 26b, 26c.

Upon Roll Call....

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

Item No. 26a Motion by Councilman Johnson, Seconded by Councilman Kowal

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

	<u>Effective</u>
<u>MAIN PUMP STATION - \$3.10 per hour</u>	
Leroy Linkner	8/5/85
<u>FACILITIES DEPARTMENT - Clerical 01-007110-1-0-1491 - \$4.00 per hour</u>	
Carolyn Kszanak	7/15/85
Carol Brinkworth	7/15/85

Item No. 26a cont'd

MAIN PUMP STATION - Clerical - \$4.00 per hour

Darlene Hoffman 8/5/85

RECREATION DEPARTMENT - Recreation Attendant Part-Time - \$6.00 per hour

Winifred Mongiovi 8/5/85

SANITATION DEPARTMENT - \$3.10 per hour

Christopher Morkis	Immediately
David Orlikowski	Immediately
David Kreuzer	Immediately
Paul Strelczyk	Immediately
Lawrence Krajewski	Immediately
Raymond J. Sliwinski	Immediately
Joseph Krzeminski	Immediately

Upon Roll Call....

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

Item No. 26b Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual be nad hereby is hired
as a Seasonal Employee in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001 - \$3.10 per hour

James E. Kosobucki Effective
retroactive 8/1/85

Upon Roll Call....

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

Item No. 26c Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, funds are presently available under the Buffalo -
Cheektowaga Tonawanda Consortium, Summer Youth Program, and

WHEREAS, the Summer Youth Program started on July 1st, 1985 with par-
ticipants working a maximum of 32 hours per week at \$3.35 per hour, NOW, THEREFORE,
BE IT

RESOLVED that the following persons were hired based on fund availa-
bility from the Department of Labor and that the alternate portion may be utilized
to meet the demographic requirements as sted in our plan submitted to the Department
of Labor:

Andrzejak, Karen Lynn	14225
Blair, Leonard	14225
Brady, Michelle	14225
Cisielski, Joseph	14225
Dick, Thomas	14225
Dungan, Jeff	14225
Eich, Denise	14206
Fix, Jennifer	14225
Gamache, Steven	14215
Hutson, Martin	14225
Kopcinski, Eric	14211

Item No. 26c cont'd

Lindquist, Scott	14227
Malkiewicz, Lori	14211
Marranco, Joseph	Depew 14043
Pilbrow, Pameal	14227
Riedel, James	14225
Sneck, James	14225
Stecenko, Paul	14043
Stecenko, Victor	14043

Upon Roll Call....

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

Item No. 27a Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, Florence T. Stachewicz, a Clerk Typist in the Cheektowaga Town Clerk's Office, has been absent from work due to illness, and

WHEREAS, upon exhaustion of all her accumulated sick leave, personal leave, and vacation days, will still be unable to return to work, and has requested extended sick leave, NOW, THEREFORE, BE IT

RESOLVED that Florence T. Stachewicz, be and hereby is granted an extended sick leave of absence not to exceed fifteen (15) days, effective upon exhaustion of all her sick leave, personal leave and vacation days, subject to the provisions of the Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 27b Motion by Councilman Kowal, Seconded by Councilman J. Rogowski

WHEREAS, Sherry L. Witt, Senior Clerk in the Assessor's Office, has requested a leave of absence without pay for a period beginning July 8, 1985 because of injuries she received in an automobile accident, and

WHEREAS, this Town Board is desirous of granting Ms. Witt an unpaid leave of absence for a period of time necessary to enable her to recuperate, and

WHEREAS, Article 9 of the collective bargaining agreement between the Town and the Town Employees' Association authorizes this Town Board to grant unpaid leaves of absence to its employees, NOW, THEREFORE, BE IT

RESOLVED that Sherry L. Witt be and hereby is granted a leave of absence for a period not to exceed three months, effective as of July 8, 1985; said leave of absence to be without pay.

Upon Roll Call....

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

Item No. 27c Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, Henry F. Kreutzer, MEO "B" operator in the Sanitation Department, has requested an unpaid leave of absence from his position due to his illness, and

Item No. 27c cont'd

WHEREAS, this Town Board is desirous of granting Mr. Kreutzer a leave of absence for a period of time necessary for him to recuperate, and

WHEREAS, Article 9 of the collective bargaining agreement between the Town and the Town Employees' Association authorizes the Town Board to grant unpaid leaves of absence to its employees, NOW, THEREFORE, BE IT

RESOLVED that Henry F. Kreutzer be and hereby is granted an unpaid leave of absence from his position as MEO "B" operator in the Sanitation Department, effective as of August 2, 1985, for a period not to exceed six months.

Upon Roll Call....

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

Item No. 28 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, the New York State Association of Chiefs of Police, Inc. is holding its 85th Annual Training Conference at the Executive Hotel in Cheektowaga, New York, on August 11-15, 1985, and

WHEREAS, Chief of Police Leonard Smolarek has requested authorization to attend said Training conference at a cost of \$70.00 for registration fees, and

WHEREAS, it would be appropriate and beneficial for Chief Smolarek to attend said Conference, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes Chief Leonard Smolarek to attend the 85th Annual Training Conference on August 11-15, 1985, and BE IT FURTHER

RESOLVED that Chief Leonard Smolarek be reimbursed the \$70.00 advanced registration fee.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

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

RESOLVED that Highway Department employees Robert Wilcox and Stanley Kasprzak are hereby authorized to attend the above training course at the Washington Hotel, in Allentown, Pennsylvania from Sunday, August 25th through Friday, August 30th, 1985, and BE IT FURTHER

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

THIS RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN J.V. ROGOWSKI. VOTING ON THE AMENDMENT WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 29 cont'd

Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, Alfred F. Wnek, Highway Superintendent, has advised the Town Board of his intent to send two (2) Highway Department employees to Allentown, Pennsylvania, for the purpose of attending a course on the maintenance and full service of diesel engines and maxidine diesel engine, NOW, THEREFORE, BE IT

RESOLVED that Highway Department employees Robert Wilcox and Stanley Kasprzak are hereby authaorized to attend the above training course at the Washington Hotel, in Allentown, Pennsylvania from Sunday, August 25th, 1985 through August 30th, 1985, and BE IT FURTHER

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

Upon Roll Call....

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

Item No. 30 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, NAI Construction Company, Inc. has submitted application for final payment for Nob Hill Park Improvements, and

WHEREAS, NAI Construction Company, Inc. has rendered the Contractor's Affidavit of Release of Liens and Certificate of Substantial Completion, and

WHEREAS, the Firm of Stuart Alexander & Associates has approved said application for payment, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves the release of Retention representing final payment in the amount of \$5,449.30 to NAI Construction Company, Inc., P.O. Box 140, Station B, Buffalo, New York 14207.

Upon Roll Call....

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

Motion by Supervisor Weber, Seconded by
This resolution failed to table because of a lack of second.

Item No. 31 Motion by Councilman Johnson, Seconded by Councilman W. Rogowski

WHEREAS, by resolution dated May 7, 1984, this Town Board hired Donald R. Guerra, Attorney at Law, to handle labor negotiations, grievances, mediations, fact findings and lawsuits involving union matters for the Town, and

WHEREAS, Donald R. Guerra has submitted Purchase Order/Voucher numbers 020896, 020897, 020898 and 020900 for his services from February through June of 1985, and

WHEREAS, this Town Board finds these Purchase Orders/Vouchers acceptable, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves Purchase Order/Voucher numbers 020896, 020897, 020898 and 020900, as submitted by Donald R. Guerra and directs the Accounting Department to pay such vouchers.

Item No. 31 cont'd

Upon Roll Call....

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

Item No. 32 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, change orders are necessary for certain additions and deletions in the construction of the Sewer Maintenance Garage for general construction work, which changes were ordered by Donald T. Maharan, Architect and the Town Engineer, and

WHEREAS, the scope of work and adjustments are outlined in Change Orders 1 thru 7 and as described in the Memo from the Town Engineer dated July 31, 1985 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Orders 1 thru 7, at a net total amount of \$4,741.00 as an increase in the contract of Building Systems of Buffalo, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby directed and authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

Upon Roll Call....

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

* See next page for Memo



MEMO

from the desk of . . .

CHESTER L. BRYAN, P.E.

CHEEKTOWAGA TOWN ENGINEER

TO: Councilman John V. Rogowski

DATE: July 31, 1985

RE: Sewer Maintenance Garage

The Sewer Maintenance Garage Project is almost completed. The Sewer Maintenance Department should be moved in to the new garage and office building at Plant #5 this weekend.

There is need to approve seven (7) change orders for the General Construction Work on this garage. The total for these change orders is in the amount of \$4,741. and represents slightly less than three percent (3%) of the contract amount. These have been reviewed and approved by the architect and the Engineering Department.

The Change Orders are as follows:

C.O. #1	Deletion of stairwell and doorways	- \$ 2,889.00
#2	Construction of storage area	+ 3,128.00
#3	Additional roof insulation	+ 1,100.00
#4	Additional demolition of 2 inside structures at east wall	+ 2,230.00
#5	Modification of girts for fan openings	N.C.
#6	Additional concrete floor patching	+ 672.00
#7	Painting of several coats in new storage area	+ 500.00
	TOTAL	+ \$ 4,741.00

A resolution is being submitted for the August 5, 1985 meeting. Your support of these necessary field modifications is appreciated. Should you need further information, please call me.

CLB:mjh

cc: W. Rogowski, C.I.C. Committee
C. Kowal, C.I.C. Committee

Item No. 33 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

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

FEDERAL REVENUE SHARING FUND

From: 04.008540.2404 (Slope Mower) \$5,053.94
To: 04.008540.2304 (Pick-Up Truck) 5,053.94

GENERAL FUND

From: 01.003310.1495 (Sign Payroll) \$3,200.00
To: 01.001450.4341 (Space Rental) 3,200.00

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

Upon Roll Call....

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

Item No. 34 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants received by the Town of Cheektowaga prior to August 5th, 1985 are hereby approved and the Supervisor is ordered to pay said warrant.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$235,636.88
SPECIAL DISTRICTS FUND	169,315.31
HIGHWAY FUND	99,927.06
FEDERAL REVENUE SHARING FUND	11,548.44
CAPITAL FUND	25,216.55
TRUST & AGENCY FUND	6,460.09
COMMUNITY DEVELOPMENT FUND	275.06
PART TOWN FUND	2,248.24
	<u>\$550,627.63</u>

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

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 35 Building Permits
Received and Filed.

Item No. 36 Supervisor's Statement of Funds for April and May
Received and Filed.

MEETING NO. 16
August 5, 1985

Item No. 37 Cheektowaga Traffic Safety Commission - minutes of July meeting
Received and Filed.

Item No. 38 Cheektowaga Planning Board - minutes of June meeting
Received and Filed.

Item No. 39 Report from Receiver of Taxes re: 1985 Tax Collection
Received and Filed.

Item No. 40 Decision on complaints submitted to Board of Assessment Review
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 41a N.Y.S. Dept. of Trans. - Access to Qualifying System as Designation
in 15 NYCRR
Copies were sent to: Daniel E. Weber, Supervisor; Council Secretary;
Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway
Superintendent; Leonard Smolarek, Chief of Police.
Received and Filed.

Item No. 41b N.Y.S. Dept. of Trans. - Notice of Order - Stop sign at Valu Plaza
Copies were sent to: Daniel E. Weber, Supervisor; Council Secretary;
Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway
Superintendent; Leonard Smolarek, Chief of Police.
Received and Filed.

Item No. 42 Petition from residents of Woodland Terrace requesting street be
repared.
Copies were sent to: Council Secretary; Alfred Wnek, Highway
Superintendent.
Received and Filed.

Item No. 43 NOTICE OF MOTION - Town's Ambulance Service vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Councilman
Thomas Johnson.
Received and Filed.

Item No. 44 SUMMONS & COMPLAINT - Leon Warecki vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Councilman
Thomas Johnson; Leonard Smolarek, Chief of Police; Schmitt & Kraft,
Insurance Company.
Received and Filed.

Item No. 45a NOTICE OF CLAIM - Michael S. Roma vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Schmitt & Kraft, Insurance Company. Leonard Smolarek,
Chief of Police.
Received and Filed.

Item No. 45b NOTICE OF CLAIM - N.Y. Telephone vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; J.J. Naples, Insurance Company; Chester Bryan, Town
Engineer.
Received and Filed.

Item No. 45c NOTICE OF CLAIM - John & Sharon Tewey vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting Department; J.J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent.
Received and Filed.

Item No. 45d NOTICE OF CLAIM - Walter Sikora vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting Department; J.J. Naples, Insurance Company; Ron Zoeller, Working Foreman in Sanitation Department.
Received and Filed.

Item No. 45e NOTICE OF CLAIM - E.C. Water Authority vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting Department; J.J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to suspend the rules to include the following item.

Upon Roll Call....

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

Item No. 46 Motion by Councilman Kowal, Seconded by Councilman Gabryszak

WHEREAS, by a certain letter, entitled "DIRECTIVE" and dated October 15, 1976, the members of the then duly constituted Town Board authorized and directed the Town Superintendent of Highways "to erect appropriate vertical barriers within the roadbed of Maryvale Drive in front of 343 Maryvale Drive", and

WHEREAS, this Town Board is not limited or bound by the aforementioned "Directive", but instead may modify or abolish same, and

WHEREAS, the Town Superintendent of Highways has requested that the so-called "Directive" be rescinded, along with any and all related papers, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned "Directive" dated October 15, 1976, along with any and all related papers, orders, resolutions, if any, be and hereby are rescinded, effective immediately.

Upon Roll Call....

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

Item No. 47 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of August, 1985 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Councilman William P. Rogowski

ALSO PRESENT WERE: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Casimir Kozminski, Assessor; Sal LaGreca, Employment and Training Director II; Ronald Marten, Building Inspector; Dennis Repka, Town Justice; Leonard J. Smolarek, Chief of Police; Al Thrun, Representative of Cheektowaga Traffic Safety Commission; Donald Wegner, Chairman of Zoning Board of Appeals; William Wielinski, Supervising Accountant; Alfred Wnek, Highway Superintendent; and Pat Wojcik, Recreation Supervisor, Senior Citizens.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, the next regularly scheduled Town Board meeting is set for Monday, September 2, 1985, AND

WHEREAS, Monday, Septembr 2, 1985 is a legal holiday, namely Labor Day, NOW, THEREFORE, BE IT

RESOLVED that the next regularly scheduled Town Board meeting shall be held on Tuesday, September 3, 1985 at 7:00 P.M.

Upon roll call.....

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

Item No. 3A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Michael E. Marenovic (Renovic Inc.) has made application and requested a rezoning from M1-Light Manufacturing District to CM-General Commercial District and a Special Use Permit for Transmission Repair on property located at 6490 Transit Road, said applicant being the owner of the property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said requests under the provisions of the Zoning Ordinance on September 3, 1985 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

Paula Miramb of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication Aug. 22, 1985 ;
last publication Aug. 22, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miramb

Sworn to before me this 23rd

day of August, 1985

Cecelia Westoven

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

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

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

ZONING ORDINANCE

NOTICE IS HEREBY GIVEN

THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of August, 1985, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 1985 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the Zoning Ordinance shall be amended to effectuate certain technical revisions relating to filing fees for rezoning applications, the permissibility of dog grooming in a C zoning district, side yard requirements in a C zoning district, permissibility of a small animal hospital in a CM zoning district, permitted obstructions in required open spaces and penalties. A copy of the proposed amendments to the Zoning Ordinance is 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.**

RICHARD M. MOLESKI

Town Clerk

DATED: August 19, 1985

PUBLISH: August 22, 1985

Item No. 3A Cont'd.

Upon Roll Call....

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

*SEE AFFIDAVITS OF PUBLICATION ON NEXT FOUR PAGES.

Item No. 3B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, the Office of Building Inspector has proposed, and the Law Department has reviewed, certain technical amendments to the Zoning Ordinance, and

WHEREAS, the Petitions Committee of the Town Board has reviewed the proposed amendments to the Zoning Ordinance and recommended their adoption; NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 3rd day of September, 1985, at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the proposed amendments to the Zoning Ordinance which are annexed hereto, shall be enacted; and BE IT FURTHER

RESOLVED that the Town Clerk shall cause the attached Notice of Hearing to be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.

* * * * *

NOTICE OF HEARING ON PROPOSAL
TO AMEND
ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of August, 1985, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 1985 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the Zoning Ordinance shall be amended to effectuate certain technical revisions relating to filing fees for rezoning applications, the permissibility of dog grooming in a C zoning district, side yard requirements in a C zoning district, permissibility of a small animal hospital in a CM zoning district, permitted obstructions in required open spaces and penalties. A copy of the proposed amendments to the Zoning Ordinance is 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: August 19, 1985

Richard M. Moleski
Town Clerk

* * * * *

Upon Roll Call....

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

*SEE 5TH AND 6TH FOLLOWING PAGES FOR PROPOSED REVISIONS TO ZONING ORDINANCE AND AFFIDAVIT OF PUBLICATION

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication *Aug 22, 1985* ;
last publication *Aug 22, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *23rd*

day of *August*, 19 *85*

Cecilia Westoven

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

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

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 16th day of September 1965, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Michael E. Marenovic (Renovic, Inc.) for a Special Permit to operate a transmission repair shop on property located at 6490 Transit Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°-00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R. 7.

THENCE: N-90°-00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°-00'-W, 296.65 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°-31'-00"-E 169.86 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°-00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°-00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet
= 0.945 Acres + or -

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 22, 1965

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

Paula Miranda of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*Aug 22, 1985*.....;
last publication.....*Aug 22, 1985*.....;
and that no more than six days intervned be-
tween publications.

Paula Miranda

Sworn to before me this*23rd*.....

day of*August*....., 19..*85*..

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

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

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

LEGAL NOTICE

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ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°-00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R. 7.

THENCE: N-90°-00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°-00'-W, 296.65 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°-31'-00''-E 169.86 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°-00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°-00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres + or -

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 22, 1985

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....Aug. 29, 1985..... ;
last publication.....Aug. 29, 1985..... ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this30th.....

day ofAugust....., 19..85..

.....Cecelia Westoven.....

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

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

**CORRECTED
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 3rd day of September 1985, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Michael E. Marenovic (Renovic, Inc.) to Rezone from M1-Light Manufacturing District to CM-General Commercial District on property located at 6490 Transit Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°-00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R. 7.

THENCE: N-90°-00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°-00'-W, 296.65 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°-31'-00"-E 169.86 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°-00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°-00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres + or -

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

BY ORDER OF THE TOWN BOARD

- Supervisor:
Daniel E. Weber
- Councilmen:
Thomas M. Johnson, Jr.
William P. Rogowski
John V. Rogowski
Patricia A. Jaworowicz
Christopher J. Kowal
Dennis H. Gabryszak

RICHARD M. MOLESKI
Town Clerk

PUBLISH: August 29, 1985

REVISIONS TO ZONING ORDINANCE

The proposed amendments are as follows:

- 1) Add a new Section 3-01A2(g) to read as follows:
(g) Dog grooming with no overnight harboring of animals.
- 2) Amend Sections 3-044 and 3-044(a) which read:
3-044 SIDE YARDS - None required except:
(a) Where a side yard is provided it shall be no less than 5 feet wide.

To Read:
3-044 - SIDE YARDS (Two Required)
(a) Minimum - 5 feet
- 3) Amend Section 3-11A8A which reads:
A. Dog grooming and small animal hospital located at least 100 feet from any R District boundary.

To Read:
A. Small animal hospital located at least 100 feet from any R District boundary.
- 4) Amend Section 6-36A1 which reads:
1. Access drives or walks.

To Read:
1. Access drives, walks or retaining walls of any necessary height.
- 5) Amend Section 6-36A4 which reads:
4. Retaining walls of any necessary height.

To Read:
4. Roof overhangs projecting not more than one foot into a required open space.
- 6) Amend Section 6-36A7(b) which reads:
(b) Chimneys or roofs projecting not more than 2 feet into a required open space.

To Read:
(b) Chimneys projecting not more than 2 feet into a required open space.

- 7) Amend Section 10-21 which reads:
10-21 Filing of Petition - A petition to amend, change or supplement the text of this ordinance, or any zoning district as designated on the Zoning Map established herein, shall be filed with the Town Clerk along with a \$40.00 Filing Fee on forms obtained from his office and shall be transmitted by the Clerk to the Board.

To Read:
10-21 Filing of Petition - A petition to amend, change or supplement the text of this ordinance, or any zoning district as designated on the Zoning Map established herein, shall be filed with the Town Clerk along with an \$80.00 Filing Fee on forms obtained from his office and shall be transmitted by the Clerk to the Town Board.
- 8) Amend the first paragraph of Section 8-11, "Penalties", by deleting therefrom the word "day" and by substituting in its place the word "week".

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

Paula Miranda of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication *Aug. 29, 1985* ;
last publication *Aug. 29, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *30th*

day of *August*, 19*85*

Cecelia Westoven

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

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

**CORRECTED
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 3rd day of September 1985, at 6:30 o'clock P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of Michael E. Marenovic (Renovic, Inc.) for a Special Permit to operate a transmission repair shop on property located at 6400 Transit Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACTOR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°-00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R. 7.

THENCE: N-90°-00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°-00'-W, 296.65 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°-31'-00''-E 169.86 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°-00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°-00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres + or -

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 29, 1985

Item No. 3C Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, the Cheektowaga Planning Board has recommended the development and adoption of an ordinance pertaining to landscaping in order to preserve and maintain "green areas" and enhance the aesthetic quality of life in Town; and

WHEREAS, provisions of the Town Law of the State of New York give sufficient authority to the Town Board to adopt laws relating to landscaping, in order to promote the health, safety, and general welfare of the Town and its inhabitants; and

WHEREAS, the Office of Building Inspector and Petitions Committee of the Town Board has reviewed the proposed landscaping ordinance and recommended its adoption; NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of Town Law of the State of New York, a public hearing be held on the 3rd day of September, 1985 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the Zoning Ordinance shall be amended to add the provisions which are annexed hereto relating to landscaping; and BE IT FURTHER

RESOLVED that the Town Clerk shall cause the attached Notice of Hearing to be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.

NOTICE OF HEARING ON PROPOSAL
TO AMEND
ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of August, 1985, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 1985 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the Zoning Ordinance shall be amended to include provisions relating to landscaping of new developments and certain other properties within the Town of Cheektowaga. A copy of the proposed amendments to the Zoning Ordinance is 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: August 19, 1985

RICHARD M. MOLESKI
Town Clerk

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Councilman W. P. Rogowski

*SEE NEXT THREE (3) PAGES FOR PROPOSED AMENDMENTS RELATING TO LANDSCAPING AND AFFIDAVIT OF PUBLICATION.

ARTICLE I - GENERAL PROVISIONS

SECTION 1-60 LANDSCAPING REGULATIONS

1-61 INTENT

It is the purpose and intent of this section to:

1-61.1 Protect and promote the public health, safety and general welfare by requiring the landscaping of all nonresidential developments, including parking areas and incorporating said landscaping as an integral part of the entire development.

1-61.2 Establish minimum standards and criteria for the landscaping of all nonresidential developments, to discourage the unnecessary clearing and disturbing of land so as to preserve the natural and existing growth of flora and to replace removed flora or plant new flora indigenous to the Western New York region.

1-61.3 Reduce the effects of wind and air turbulence, heat and noise and the glare of automobile lights.

1-61.4 Provide unpaved areas for the absorption of surface waters.

1-61.5 Reduce the level of carbon dioxide and return pure oxygen to the atmosphere.

1-61.6 Prevent soil erosion.

1-61.7 Provide shade.

1-61.8 Conserve and stabilize property values and to otherwise facilitate the creation of a convenient, attractive and harmonious community.

1-61.9 Create attractive buffers between the street right-of-way and the property line.

1-61.10 Relieve the blighting appearance of parking areas.

1-61.11 Generally preserve a healthful and pleasant environment through the use of landscaping for privacy and screening adjacent uses.

1-62 Definitions

1-62.1 Landscape area - the area required or permitted under this section to be devoted to landscaping.

1-62.2 Parking area - the off-street parking area and loading and unloading area required by Article V of this ordinance.

1-63 General Provisions

1-63.1 Developments of attached dwelling units in the RA, TC, C and CM Districts and all nonresidential developments otherwise subject to development plan review shall meet the requirements of this section. A landscape plan pursuant to Section 1-64 shall be submitted to the Town Planning Board and recommended for approval to the Town Board as a part of the review procedure.

1-63.2 The landscape plan shall be drawn to scale, including dimensions and distances, and shall clearly delineate existing and proposed structures, uses, parking area, access aisles, drainage pattern and the location, size and description of all landscape materials existing and proposed, including all trees and shrubs, and including those existing plant materials that are to be removed and such other information as may be required by the Planning Board.

1-64 Standards and Criteria

1-64.1 Each development which is subject to the provisions of this ordinance shall provide for a landscape area which is not less than fifteen percent (15%) of the total area of the development. Parking areas designed for twenty five (25) or more cars shall reserve five percent (5%) of said area for landscaping.

1-64.2 A landscaped area at least ten (10) feet wide shall be provided along the perimeter of a parking area.

1-64.3 Notwithstanding anything contained in Section 5-320 to the contrary, front yards, to a minimum of twenty five (25) feet, shall be landscaped and parking shall be prohibited in said area. The Planning Board reserves the right to recommend relief from this requirement where a landscape plan provides an adequate buffer from front yard parking.

1-64.4 Vegetation shall be compatible with soil conditions on the development site and the regional climate.

1-64.5 Existing natural features and vegetation shall be preserved and incorporated in the landscaped area wherever possible.

1-64.6 The primary emphasis of the landscape treatment shall be on trees. Shrubbery, hedges, grass and other vegetation are to be used to compliment the use of trees but shall not be the sole contribution to the landscape treatment.

1-64.7 The interior dimensions of any landscaped area or median shall be designed in accordance with the American Association of Nurserymen standards for planting bed size to protect the plant materials planted therein and insure proper growth.

1-64.8 All deciduous trees planted shall have a minimum caliper of two and one-half (2 1/2) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade.

1-64.9 Plastic or other types of artificial plantings or vegetation shall not be permitted.

1-65 Existing and New Development

Existing development in all Districts completed prior to the enactment of this ordinance that may require a rezoning, a change in use, or building permit to expand or modernize shall comply with the requirements of Sections 1-64.1 through 1-64.9 inclusive. New developments shall be required to have landscaping in place and completed prior to the issuance of a certificate of occupancy. In the event seasonal conditions prevent completion of the required landscaping, until the following planting season, the Planning Board shall set a completion date and the owner shall post a certified check in the amount of 100% of the cost of the landscaping as verified by a Landscape Architect. Said certified check shall be made payable to the Town of Cheektowaga Town Clerk and shall be redemable after completion and approval of said landscaping work by the stated completion date. In the event the landscaping plan is not completed by the prescribed date, the owner shall forfeit the deposited amount and the Town shall authorize installation of said landscaping.

1-66 Maintenance and Enforcement.

All landscaped areas required and/or permitted by this section shall be maintained and preserved according to the plan as originally approved. Violations of Section 1-60 shall be governed by Section 8-10 of this Zoning Ordinance.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication... *Aug. 22, 1985* ;
last publication... *Aug. 22, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *23rd*

day of *August*, 19.. *85*

..... *Cecelia Westoven*

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

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

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

**ZONING ORDINANCE
NOTICE IS HEREBY GIVEN**

THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 19th day of August, 1985, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 1985 at 7:00 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the Zoning Ordinance shall be amended to include provisions relating to landscaping of new developments and certain other properties within the Town of Cheektowaga. A copy of the proposed amendments to the Zoning Ordinance is 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 COUN-
TY, NEW YORK.**

RICHARD M. MOLESKI
Town Clerk

**DATED: August 19, 1985
PUBLISH: August 22, 1985**

MEETING NO. 17
August 19, 1985

Item No. 4 Motion by Councilman Johnson Seconded by Councilman Kowal to table a resolution regarding a Notice to Bidders for Construction of paved parking area and service road at Sewer Maintenance Garage.

Upon Roll Call....

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

Item No. 5A Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the repainting of the Recreation Center ice rink ceiling, which bids were duly received and opened at a public meeting called for that purpose, AND

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

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract to repaint the Recreation Center ice rink ceiling, as recommended by the Town Engineer, be and the same is hereby awarded to T.J. Peterson General Construction, 555 Colvin Avenue, Buffalo, New York, for their bid in the amount of \$8,582.00, said bid being the lowest one meeting the requirements of the specifications.

Upon Roll Call....

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

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



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-686-3448
716-686-3447



August 15, 1985

TO SUPERVISOR WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Repainting of the Recreation
Center Ice Rink Ceiling

Gentlemen:

At a public bid opening on August 5, 1985, bids were received and publicly opened for the repainting of the Recreation Center ice rink ceiling in the Town Park. Three (3) bids were received and are listed as follows:

T.J. Peterson General Construction	\$8,582.00
T & T Contracting Company, Inc.	\$11,934.00
Amherst Painting Inc.	\$13,130.00

It is, therefore, recommended that the bid be awarded to T.J. Peterson General Construction, 555 Colvin Avenue, Buffalo, New York, for submitting the lowest bid in the amount of \$8,582.00, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski, ds

Allan B. Blachowski
Sr. Engineer Assistant

ABB:dms

Item No. 5B Award of Bid: Completion of Cedargrove Heights Neighborhood Improvement Project, Stage II, Phase IV.

This item was withdrawn.

Item No. 6 Motion by Councilman Johnson Seconded by Councilman Kowal

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 665 of the Laws of 1984 which permits local municipalities to participate in an optional early retirement program; and

WHEREAS, the Labor-Management Committee of the Town Board has met with representatives of the New York State Retirement System and Town of Cheektowaga Employees' Association to discuss participation in the program by the Town and has caused a survey to be conducted of eligible employees to determine the impact of such program on the Town; and

WHEREAS, the Town Board has held a public hearing to solicit additional commentary and information relating to the program and to consider the adoption of a Local Law to implement the program; NOW, THEREFORE, be it

RESOLVED that all in accordance with the provisions of the Municipal Home Rule Law the following "Local Law Electing a Retirement Program Authorized by Chapter 665, Laws of 1984" is hereby adopted:

A LOCAL LAW electing a retirement incentive program as authorized by Chapter 665, Laws of 1984 for the eligible employees of the Town of Cheektowaga, New York.

BE IT ENACTED by the Town Board of the Town of Cheektowaga, New York as follows:

Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

Section 2. The commencement date of the retirement incentive program shall be September 1, 1985.

Section 3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be 50 days in length.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits.

Section 5. This act shall take effect immediately;

and, BE IT FURTHER

RESOLVED that the Town Clerk of the Town of Cheektowaga shall:

1. Immediately post a copy of Local Law No. 1 of the Year 1985 on the Town Bulletin Board at Town Hall.

2. Within ten (10) days, publish a certified copy of the Local Law in the CHEEKTOWAGA TIMES, hereby the official newspaper of the Town of Cheektowaga, and

3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 1985, with all proofs of publication and posting required for adoption, and

4. File certified copies of this resolution and the Local Law No. 1 of the Year 1985 within five (5) days of adoption with:

MEETING NO. 17
August 19, 1985

Item No. 6 Cont'd.

- a) Town Clerk's Office,
- b) One (1) copy with Office of the State Comptroller,
- c) Four (4) copies with the Office of Secretary of State, and
- d) One (1) copy with the New York State Retirement System.

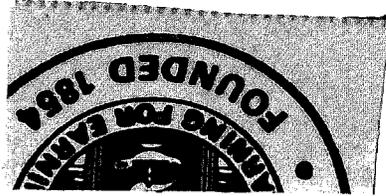
Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Councilman W. P. Rogowski

*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.



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

.....*Paula Miranda*..... of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*Aug 22, 1985*..... ;
last publication.....*Aug 22, 1985*..... ;
and that no more than six days intervened be-
tween publications.

.....*Paula Miranda*.....

Sworn to before me this*23rd*.....

day of*August*....., 19*85*.....

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

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 19th day of August, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT:

Councilman:

William P. Rogowski

Motion by Councilman Johnson

Seconded by Councilman Kowal

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 665 of the Laws of 1984 which permits local municipalities to participate in an optional early retirement program; and

WHEREAS, the Labor-Management Committee of the Town Board has met with representatives of the New York State Retirement System and Town of Cheektowaga Employees' Association to discuss participation in the program by the Town and has caused a survey to be conducted of eligible employees to determine the impact of such program on the Town; and

WHEREAS, the Town Board has held a public hearing to solicit additional commentary and information relating to the program and to consider the adoption of a Local Law to implement the program; NOW, THEREFORE, BE IT

RESOLVED, that all in accordance with the provisions of the Municipal Home Rule Law the following "Local Law Electing a Retirement Program Authorized By Chapter 665, Laws of 1984" is hereby adopted:

A LOCAL LAW electing retirement incentive program as authorized by Chapter 665, Laws of 1984 for the eligible employees of the Town of Cheektowaga, New York.

BE IT ENACTED by the Town Board of the Town of Cheektowaga, New York as follows:

§1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

§2. The commencement date of the retirement incentive program shall be September 1, 1985.

§3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be 50 days in length.

§4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits.

§5. This act shall take effect immediately;

and, BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Cheektowaga shall:

1. Immediately post a copy of Local Law No. 1 of the Year 1985 on the Town Bulletin Board at Town Hall.

2. Within ten (10) days, publish a certified copy of the Local Law in the CHEEKTOWAGA TIMES, hereby the official newspaper of the Town of Cheektowaga, and

3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 1985, with all proofs of publication and posting required for adoption, and

4. File certified copies of this resolution and the Local Law No. 1 of the Year 1985 within five (5) days of adoption with:

a) Town Clerk's Office,
b) One (1) copy with Office of the State Comptroller,

c) Four (4) copies with the Office of Secretary of State, and

d) One (1) copy with the New York State Retirement System.

Upon roll call

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting ABSENT

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 6

NAYES: 0

ABSENT: 1

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on August 19, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 6, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of August, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 22, 1985

MEETING NO. 17
August 19, 1985

Item No. 7A Motion by Councilman Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the various Departments as listed:

EFFECTIVE

SEWER MAINTENANCE DEPARTMENT

Ronald Lynch 9/3/85
Robert Latshaw 9/3/85

Upon Roll Call....

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

Item No. 7B Motion by Councilman Gabryszak Seconded by Supervisor Weber

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

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

EFFECTIVE

Robert Kowal 8/23/85
Eric Ozolins 8/20/85
Brian Ksiazek 8/31/85

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

Christopher Domagala 8/09/85

Upon Roll Call....

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

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

WHEREAS, Mr. David Wass, Sloan, New York has elected to fill a position of General Mechanic in the Facilities Department vacating his position of Maintenance Man, NOW, THEREFORE, BE IT

RESOLVED that Mr. David Wass is hereby appointed to the position of General Mechanic in the Facilities Department retroactive to July 8, 1985.

Upon Roll Call....

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

Item No. 9 Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak to table a resolution regarding appointment of part-time Clerk in Justice Court.

Upon Roll Call....

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

Item No. 10 Motion by Councilman Kowal Seconded by Councilman Johnson

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of \$3.10 per hour

MEETING NO. 17
August 19, 1985

Item No. 10 Cont'd.

effective as follows:

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

	<u>EFFECTIVE</u>
Harry Rogalski	9/01/85
Joseph Dolecki	9/01/85
John Wiercioch	8/31/85
Randy Palmisano	9/01/85
John Slisz	9/01/85
Willard Kratzke	8/31/85
Stanley Siejak	8/31/85
John Bratek	8/31/85

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

Joseph Stallone 8/31/85

Upon Roll Call....

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

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

WHEREAS, Richard R. Basher, an employee in the Central Garage Department has applied for a Military Leave of Absence retroactive from August 17, 1985 through September 8, 1985, and his Order to report for Military duty has been forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York, allows a military leave for the purpose of reporting for Military duty pursuant to an Order up to a period of six months, and

WHEREAS, said section 242 of the Military Law also provided for the payment of the salary of such public employee for a period of thirty (30) days while on said military leave duty, NOW, THEREFORE, BE IT

RESOLVED that Richard R. Basher, an employee in the Central Garage is granted a military leave of absence retroactive from August 17, 1985 through September 8, 1985, and BE IT FURTHER

RESOLVED that Richard R. Basher, be paid his salary or other compensation while on such military leave.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, special proceedings are being brought against the Town of Cheektowaga concerning assessments based on the 1985 assessment roll, and

WHEREAS, the area of assessment challenges is a specialized field of law involving technical legalities, and

WHEREAS, Joseph G. Sacco is a highly trained specialist in the area of assessment review proceedings and has, in fact, handled such assessment review proceedings on behalf of the Town of Cheektowaga for the past eleven years, NOW, THEREFORE, BE IT

RESOLVED that Joseph G. Sacco, Esq., Attorney at Law, be and is

MEETING NO. 17
August 19, 1985

Item No. 12 Cont'd.

hereby retained to represent the Town of Cheektowaga in all assessment review proceedings based on the 1985 assessment rolls, and BE IT FURTHER

RESOLVED that his reasonable fees and expenses, as audited by the Town Attorney, be paid by the Town.

Upon Roll Call....

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

Item No. 13 Authorization for Junior Engineer to attend Street and Roadway relighting conference.

This item was withdrawn.

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

WHEREAS, it is vital that Town Department Heads and other supervisory personnel know and use effective means to reduce injuries to Town employees and others and to reduce the Town's costs for such injuries, AND

WHEREAS, the Town has retained Fred S. James & Company to provide a Supervisory Safety Training Course, NOW, THEREFORE, BE IT

RESOLVED that this Board hereby requires the heads of the following departments to attend the courses shown on the attached outline and as scheduled by our Risk Manager, Ernest Holfoth, along with whatever additional supervisory staff they can free for such training:

Highway	Police
Sanitation	Facilities
Central Garage	Sewer Maintenance
Main Pump Station	Youth
Recreation	

Upon Roll Call....

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

Item No. 15 Motion by Councilman J. Rogowski Seconded by Supervisor Weber

WHEREAS, Los-Green, Inc., as part of the acceptance of Losson Green Estates Subdivision and as a prerequisite to the construction of any buildings in such subdivision, has submitted the following papers for acceptance by the Town:

1. Warranty deed for a portion of Rushford Lane; Hillpine Road; a portion of Ashleaf Drive; and a "Green Belt" area; and
2. Drainage easement for certain sublots in such subdivision.

and the Town Superintendent of Highways in the attached letter dated August 14, 1985, has recommended that such deed and easement be accepted by the Town, and

WHEREAS, Los-Green, Inc. has also submitted a maintenance bond for the aforementioned deeded areas and a certified check to guarantee street lighting for this area to the Town, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned deed, easement, maintenance bond and certified check be and hereby are accepted by this Town Board, contingent upon the approval of the Town Attorney, and BE IT FURTHER

RESOLVED that, after approval of these documents by the Town Attorney, the Town Attorney be and hereby is directed to file the deed and easement

MEETING NO. 17
August 19, 1985

Item No. 15Cont'd.

in the Erie County Clerk's Office.

Upon Roll Call....

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

*SEE NEXT PAGE FOR LETTER FROM SUPERINTENDENT OF HIGHWAYS.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686-3450



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

August 15, 1985

HONORABLE DANIEL E. WEBER
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA NY 14227

Re: Losson Green Subdivision - Part I

DEAR TOWN BOARD MEMBERS:

Please be advised that timely and effective inspections, during all phases of construction, have been prepared by my Engineer, Ted Skowron, and myself; and we find that all of Ashleaf Drive and parts of Rushford Lane and Hillpine Road, as herein described, do conform to the current specifications of the Town of Cheektowaga and are recommended for acceptance into our system of highways.

Ashleaf Drive - A 60' wide R.O.W. as shown on M.C. 2464, fronting S.L. 38 - 51, 21-34 & 37 running E. & W. between Rushford Lane and Hillpine Drive, a length of +987.33'.

Rushford Lane - A 60' wide R.O.W. as shown on M.C. 2464, running N. & S., beginning at a point in Losson Road and running southerly a distance of +541.99 fronting S.L. 35-38, 6, 168-173.

Hillpine Road - A 60' wide R.O.W. as shown on M.C. 2464 running N. & S. beginning at a point in Losson Road and running southerly for a distance of +610.52, fronting S.L. 18-21, 51, 91-96 & 86.

The deeds are in the office of the Town Attorney for approval and filing. The Maintenance Bond is in an amount commensurate with the provisions of our P.I.P. Ordinance. This Bond, too, is sent to the Town Attorney for approval. A Street Lighting Agreement is also being provided. Drainage Easements must also be recorded and filed.

After approval by the Town Attorney, and proper filing and recording of Deeds, these documents become part of this acceptance.

I request that no C.O. be issued by the Building Inspector, until the builder of a house in this subdivision guarantees the planting of a tree in front of each house within the R.O.W. built by him. Information on tree specifications can be obtained at the Highway Department office.

I trust this meets with your honorable approval, I remain

Respectfully yours,

ALFRED F. WNEK
Highway Superintendent

"When better roads are built - Cheektowaga will build them"

cc: Town Clerk, Town Attorney, Building Inspector, Town Engineer, Mr. Skowron

MEETING NO. 17
August 19, 1985

Item No. 16 Motion by Supervisor Weber Seconded by Councilman Jaworowicz

WHEREAS, Joan E. Dudek, Receiver of Taxes and Assessments for the Town of Cheektowaga, acts as the collecting officer for County and Town real property taxes, and

WHEREAS, earlier this year, the Commissioner of Finance of the County of Erie notified Joan E. Dudek that the County will no longer be granting an extension to the Town to collect County real property taxes until June 30th of each year, and

WHEREAS, by resolutions dated March 18, 1985, this Town Board memorialized the County of Erie to continue its past practice of granting extensions of time for the Town to collect County real property taxes pursuant to Section 938(1) of the Real Property Tax Law; and also memorialized the New York State Legislature to amend Section 938(1) to mandate the County to extend local tax collection to June 30th in each year, and

WHEREAS, Town Receiver of Taxes and Assessments, Joan E. Dudek, notified this Town Board that she just received a letter from Erie County Executive Edward J. Rutkowski informing her that the County would not voluntarily grant extensions of time for the Town to collect County real property taxes, and

WHEREAS, it is estimated that the County Executive's decision will cause the Town to lose \$20,000 in penalty income and that it will pose a great inconvenience to those taxpayers who cannot afford to pay their real property taxes on time, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby renews its request of March 18, 1985 that the New York State Legislature amend Section 938(1) of the Real Property Tax Law to mandate the County Treasurer in Erie County to extend the time for the Town to collect taxes until the 30th day of June in every year, and

BE IT FURTHER RESOLVED that this Town Board hereby memorializes the County Legislature and calls upon the County Legislators representing the Town of Cheektowaga to direct the County Treasurer/Commissioner of Finance to extend the time for the collection of real property taxes by the local tax receivers until June 30th of every year, and BE IT FURTHER

RESOLVED that Towns and Villages in Erie County be and hereby are requested to join the Town of Cheektowaga and its Receiver of Taxes and Assessments, Joan E. Dudek, in their request to the New York State and Erie County Legislatures, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to County Legislators Richard A. Slisz, Henry M. Mazurek, William A. Pauly, Mary Lou Rath, and Richard R. Anderson, and to Governor Mario M. Cuomo, State Senator Dale M. Volker and State Assemblyman Dennis T. Gorski.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Board of Fire Commissioners of Hy-View Fire District No. 8 have requested the installation of one(1) additional fire hydrant at #6450 - #6470 Transit Road, which fire hydrant will be situated within a State highway right-of-way, AND

WHEREAS, this Town Board believes that an additional fire hydrant on Transit Road in front of #6450 - #6470 Transit Road is needed, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally requests the Erie County Water Authority to install an additional fire hydrant on Transit Road in front of #6450 - #6470 Transit Road, AND, BE IT FURTHER

MEETING NO. 17
August 19, 1985

Item No. 17 Cont'd.

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Erie County Water Authority.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Johnson Seconded by Councilman Jaworowicz

WHEREAS, Cayuga Road is a County highway situated in the Town of Cheektowaga, AND

WHEREAS, LTV Aerospace and Defense Company, Sierra Research Division, requested a new traffic signal to be installed on Cayuga Road at its intersection with Applewood Road and a private driveway used by LTV Aerospace and Defense Company, AND

WHEREAS, LTV Aerospace and Defense Company has agreed to pay all costs involved for the design, installation, maintenance and power charges for such signal, AND

WHEREAS, on the recommendation of the Traffic Safety Commission, this Town Board requested the County of Erie, Department of Public Works, to conduct a traffic study of the intersection of Cayuga Road and Applewood Road to determine if a traffic signal was warranted at such intersection, AND

WHEREAS, LTV Aerospace and Defense Company, at the request of the County Department of Public Works, engaged the firm of EMS Consulting to conduct the desired traffic study, AND

WHEREAS, the completed traffic study clearly confirms that a traffic signal installation is warranted at the intersection of Cayuga Road and Applewood Road at the Sierra Research Division driveway and recommends that a signal be in full operation between 12 noon and 1:00 P.M. and between 3:30 P.M. and 5:00 P.M., with flashing operation at all other times, AND

WHEREAS, this Town Board feels that traffic congestion and safety problems at this intersection warrant a traffic signal, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests the County of Erie, Department of Public Works, Division of Highways, to issue a permit to the Town for a traffic signal, as specified above, at this intersection of Cayuga Road and Applewood Road/LTV Aerospace and Defense Company, Sierra Research Division, driveway, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents in connection with any permit issued by the County of Erie for the aforesaid signal, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to forward a copy of this resolution, together with two copies of the EMS Consulting traffic study, to the County of Erie, Department of Public Works, Division of Highways, at 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....

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

Item No. 19A Authorize Supervisor to sign Memorandum of Understanding regarding creation of position of Sign and Signal Maintenance Worker.

This item was withdrawn.

MEETING NO. 17
August 19, 1985

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

WHEREAS, the New York State Council on the Arts has approved a grant of \$5,000 for the Town's 1985 Polish-American Arts Festival, and

WHEREAS, it is necessary for the Town to enter into a Cultural Services Contract with the State for the receipt of said funds, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized and directed to execute the attached Cultural Services contract with the New York State Council on the Arts for the receipt of said grant funds.

Upon Roll Call....

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

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

WHEREAS, the Board of Fire Commissioner of Doyle Fire District #1 has requested the Town Board to authorize the Town Highway Superintendent to permit the use of town highway machinery, tools and equipment within the town by such Fire District, and

WHEREAS, Section 142-b of the Highway Law of the State of New York authorized the use of town highway machinery, tools and equipment within the town by a fire district, upon such terms as may be agreed upon by the Town Board and the governing board of such fire district, and

WHEREAS, it appears that the Town may rent its equipment and operators for such equipment for such purposes provided the Town is reimbursed for their use, and

WHEREAS, the Town shall not, however, provide material and other labor connected therewith, therefore, BE IT

RESOLVED that the Town of Cheektowaga hereby authorizes the Town Highway Superintendent to provide the essential equipment and operators thereof for the purpose of resurfacing the parking lot adjacent to the Doyle #2 building on Griswold and Willowlawn Parkway, on the terms and conditions specified in the communication of the Town Superintendent of Highways dated August 14, 1985 and the communication of the Chairman of the Board of Doyle Fire District #1, which are appended hereto and made a part hereof.

Upon Roll Call....

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

*SEE NEXT TWO (2) PAGES FOR LETTERS FROM TOWN SUPERINTENDENT OF HIGHWAYS AND CHAIRMAN OF THE BOARD OF DOYLE FIRE DISTRICT #1.

ALFRED F. WNEK
SUPERINTENDENT

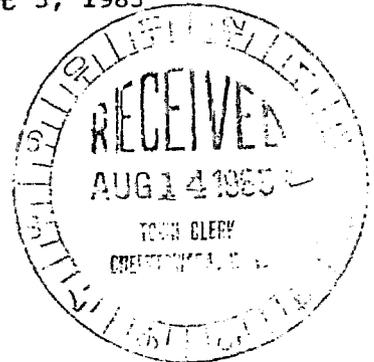
OFFICE: 686-3450



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

August 5, 1985



Board of Fire Commissioners
Doyle Fire District #1
2199 William Street
Cheektowaga NY 14227

Gentlemen:

After discussion with your Chairman, it has been agreed mutually that the Town of Cheektowaga Highway Department will pave parking lot adjacent to Doyle #2 at Griswold and Willowlawn Parkway.

It has been agreed that the Town will use its own equipment and labor and be reimbursed by the fire district for the labor. Any materials used in this project will be billed and paid direct by the fire district.

As agreed upon with the Highway Superintendent, the fire district will provide a Certificate of Insurance for any liability incurred during construction of same.

If the Board of Fire Commissioners decides that the above is agreeable, I would appreciate the agreement to be signed below so that this project can be started as soon as possible.

AFW:erp

Very truly yours,

TOWN OF CHEEKTOWAGA

Alfred F. Wnek
ALFRED F. WNEK, SUPERINTENDENT

CHAIRMAN *James C. ...*
Board of Fire Commissioners

"When better roads are built — Cheektowaga will build them"



ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 686-3450



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

OFFICE OF
SUPERINTENDENT OF HIGHWAYS
3145 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

August 14, 1985

HONORABLE DANIEL E. WEBER, SUPERVISOR
HONORABLE TOWN BOARD MEMBERS
Town of Cheektowaga NY 14227

Gentlemen:

I am requesting your Honorable Members to give me authorization to resurface parking lot adjacent to Doyle #2 at Griswold and Willowlawn Parkway.

It has been agreed with Highway Superintendent and the Board of Commissioners of the Doyle Fire District #1 that they will assume the cost of labor and reimburse the Town and pay direct to the supplier for the material used. They have also agreed to provide the Town with a Certificate of Insurance for any liability incurred during construction of same, copy of which is hereto attached.

I trust this will meet with your kind approval.

Respectfully yours,

ALFRED F. WNEK
Highway Superintendnet

AFW:erp

Encl. 2

"When better roads are built — Cheektowaga will build them"



MEETING NO. 17
August 19, 1985

Item No. 21 Motion by Councilman J. Rogowski Seconded by Supervisor Weber

WHEREAS, there are two vacant sublots fronting on Andres Place in the Town of Cheektowaga, which lots are more particularly described as Subdivision Lots 2 and 3 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1326, and

WHEREAS, the aforementioned sublots are listed on the town assessment roll under account No. 91.18-9-4.1 and as owned by Richard N. Urbanski of Cheektowaga, New York, and

WHEREAS, prior to 1952 part of the Scajaquada Drainage System consisted of an open drainage ditch running from Genesee Street south to the Scajaquada Tributary along the west side of Andres Place; which ditch, over the years, was piped, including that portion thereof which traversed the aforementioned sublots numbered 2 and 3, and

WHEREAS, no recorded document can be found evidencing the interest of the Town of Cheektowaga in the aforesaid storm sewer, and

WHEREAS, the storm sewer system traversing the sublots owned by Richard N. Urbanski has been appraised at \$3,150.00 by Northeastern Appraisal Associates on behalf of the Town of Cheektowaga,

NOW, THEREFORE, BE IT RESOLVED that upon receipt of a properly executed easement by Richard N. Urbanski and Melania A. Urbanski, his wife, covering the area of the storm sewer system traversing sublots 2 and 3 under map cover 1326, the sum of \$3,150.00 be paid and delivered to such owners for such easement.

Upon Roll Call....

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

Item No. 22 Motion by Councilman J. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, on November 20, 1972, the Town Board of the Town of Cheektowaga, acting as Commissioners for and on behalf of Cheektowaga Sanitary Sewer District No. 3, entered into an agreement with the County of Erie, acting for and on behalf of County Sewer District No. 4, for the conveyance and treatment of sewage originating in the Town of Cheektowaga to and by the Buffalo Sewer Authority treatment plant on the Niagara River, and

WHEREAS, KMG Main-Hurdman was retained by the Town to conduct a special audit of County Sewer District No. 4 invoiced costs to Cheektowaga Sanitary Sewer District No. 3, which special audit involved, in whole or in part, billings for the years 1978 through 1985, and

WHEREAS, the aforementioned special audit brought into question the use of federal and state aid received on capital costs in determining the amounts to be paid by Cheektowaga Sanitary Sewer District No. 3, and

WHEREAS, the County has billed the Town in the amount of \$500,323 for 1984 and \$422,636.34 for 1985 under the aforesaid agreement, but the Town has underpaid the amounts billed by withholding the sum of \$306,133., and

WHEREAS, after several meetings between County and Town officials, it was concluded that no adjustments would be made for the years 1978, 1979, 1984 and 1985; but the total amount to be adjusted for the years 1980 through 1983 is \$129,487, thereby making the sum of \$176,646 due from the Town to the County and not the sum of \$306,133.00 underpaid and withheld by the Town as aforesaid, and

WHEREAS, the County has requested that the said agreement be amended by the inclusion of a provision for the timely payment of the annual charges to be paid by the Town to the County, and

WHEREAS, such amendment is lawful and reasonable, and has been recom-

MEETING NO. 17
August 19, 1985

Item No. 22 Cont'd.

mended by KMG Main-Hurdman, Certified Public Accountants, the Town Attorney and the Town Engineer.

NOW, THEREFORE, BE IT RESOLVED that the members of this Town Board, acting as Commissioners for and on behalf of Sanitary Sewer District No. 3, sign the original of the amendment to agreement, an unsigned copy of which is attached hereto, and BE IT FURTHER

RESOLVED that the sum of \$176,646 be paid to the County of Erie upon presentation of a properly certified voucher for such sum, and that same be charged to the budget of Cheektowaga Sanitary Sewer District No. 3.

Upon Roll Call....

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

*SEE NEXT PAGE FOR COPY OF AMENDMENT TO AGREEMENT.

ADDENDUM TO AGREEMENT

between

ERIE COUNTY AND TOWN OF CHEEKTOWAGA

RECEIVED
1985 DEC -3 PM 2:57
CHEEKTOWAGA
TOWN CLERK

THIS AGREEMENT made this 17th day of October, 1985,
between the COUNTY OF ERIE (hereinafter referred to as
"County"), acting for and on behalf of Erie County Sewer
District No. 4, a sewer district of said County of Erie
pursuant to the provisions of County Law, and THE TOWN BOARD
OF THE TOWN OF CHEEKTOWAGA, acting as commissioners for and
on behalf of Cheektowaga Sewer District No. 3,

WITNESSETH:

WHEREAS, it is desired to make provisions for the
timely payment of annual charges pursuant to said agreement;

NOW, THEREFORE, it is agreed that the agreement dated
November 20, 1972 and amended on June 22, 1984, between the
County of Erie and the Town of Cheektowaga be further
amended by the addition of the underlined words hereinafter
indicated, so that paragraph 7 reads as follows:

7. Upon completion of a calculation of total
annual charges to be made to Cheektowaga Sewer
District No. 3, a statement shall be forwarded
immediately to the Town Board of the Town of
Cheektowaga on September 1st of each year.
The Town Board of the Town of Cheektowaga
shall then promptly pay said statement in
full by February 20th of each year. All
payments due and unpaid by February 20th of
each year shall bear interest from such date
at an annual percentage rate of nine percent
(9%). The Erie County Legislature shall
annually hold a public hearing on the

CHEEKTOWAGA TOWN CLERK'S OFFICE
BOX # 26
NO. 27

proposed budgets, assessment rolls and rates for Erie County Sewer District No. 4 and all extensions thereto and districts and municipalities contracting therewith pursuant to the requirements of law. At this hearing, the budgets and proposed spreading of costs shall be available in detail for public inspection.

IN WITNESS WHEREOF, the County of Erie acting for and on behalf of Erie County Sewer District No. 4 and the Town Board of the Town of Cheektowaga, acting as commissioners for and on behalf of Cheektowaga Sewer District No. 3 have set their names and affixed their seals hereto the day and year first above written.

TOWN BOARD OF THE TOWN
OF CHEEKTOWAGA ACTING
AS COMMISSIONERS FOR AND
ON BEHALF OF CHEEKTOWAGA
SEWER DISTRICT NO. 3

Dennis H. Gabyrak
Joseph J. Lewis
Daniel C. Miller
John V. Kozarski
Patricia A. Jaworski
Thomas J. Schmidt

COUNTY OF ERIE, ON
BEHALF OF ERIE COUNTY
SEWER DISTRICT NO. 4

By: Edward J. Rutkowski
EDWARD J. RUTKOWSKI,
Erie County Executive

APPROVED AS TO CONTENT

Joan E. Loring
JOAN E. LORING
COMMISSIONER - D.E.P.

APPROVED AS TO FORM
ERIE COUNTY LAW DEPARTMENT

BY: Richard J. Schechter
DATE: 11/15/85 DOC. NO. 85-975-EP
Richard J. Schechter

MEETING NO. 17
August 19, 1985

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

WHEREAS, the consulting engineering firm of Pratt and Huth Associates have recommended approval of Change Order No. 1 on the Yeager Drive Drainage Improvements Project, AND

WHEREAS, the scope of work in Change Order No. 1 is described in a letter from the Town Engineer dated August 5, 1985 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 on the Yeager Drive Drainage Improvements Project in the sum of \$6,096.91 as a deduction to the contract of C.M.H. Company, Inc. be approved, AND, BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga.

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: Councilman W. P. Rogowski

*SEE NEXT PAGE FOR COPY OF LETTER FROM TOWN ENGINEER.

Item No. 24 Motion by Councilman J. Rogowski Seconded by Councilman Johnson

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

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

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

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

50 Olcott Place	-	\$7,111.00
13 Kingswood	-	\$2,918.00

AND BE IT

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

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak

NAYES: 0

ABSENT: Councilman W. P. Rogowski

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

WHEREAS, the Town of Cheektowaga Building Code requires that all

Item No. 25 Cont'd.

building and plumbing permit fees shall be as specified in a schedule as approved by the Town Board, AND

WHEREAS, it has been recommended that the building and plumbing permit fee schedule be amended to include a separate fee chargeable for mobile home installations, NOW, THEREFORE BE IT

RESOLVED that the building and plumbing permit fee be amended to include a separate fee chargeable for mobile home installations, AND BE IT FURTHER

RESOLVED that said fee be set at \$25.00 per mobile home unit.

Upon Roll Call....

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

Item No. 26 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, the Whitmier & Ferris Co., Inc. has requested permission to replace or rebuild the following billboard signs:

- 1) Northeast corner of Genesee Street and Rein Road - Replace one 12 ft. x 50 ft. single faced billboard sign with one 12 ft. x 25 ft. double faced billboard sign.
- 2) 442 Cayuga Road - Replace four 12 ft. x 25 ft. single faced billboard signs with one 12 ft. x 25 ft. double faced billboard sign.
- 3) South side of William Street 180 ft. East of Wagner Avenue - Replace one 12 ft. x 25 ft. single faced billboard sign with one 12 ft. x 25 ft. double faced billboard sign.
- 4) 2400 Clinton Street - Rebuild one 14 ft. x 48 ft. single faced billboard sign,, AND

WHEREAS, said application was referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has recommended approval of the sign replacement and rebuilding applications, NOW, THEREFORE, BE IT

RESOLVED that Whitmier & Ferris Co., Inc. be and is hereby granted permission to replace or rebuild the aforementioned billboard signs.

Upon Roll Call....

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

Item No. 27 Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga requires that unsafe buildings be repaired, demolished or removed, AND

WHEREAS, TRP Development Corporation of 1062 Walden Avenue, Cheektowaga, New York who according to the Assessors' Office records is the owner of an unsafe vacant 2 1/2 story structure located at 1062 Walden Avenue, Cheektowaga, New York has neglected to repair, safeguard and board over said structure and to cut all high weeds and remove all debris from the premises, AND

MEETING NO. 17
August 19, 1985

Item No. 27 Cont'd.

WHEREAS, a hearing was held before the Town Board on August 5, 1985 at 7:00 P.M., at which time all persons having an interest in this property were given an opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED that the East and West side eaves of this structure be repaired, the East side downspout be removed, all window and door openings on the East, West and North side of this structure be boarded over and painted to match the existing brick veneer, all weeds be cut, all debris be removed and all costs involved in the repair and removal be assessed against the land on which this structure is located.

Upon Roll Call....

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

Item No. 28A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear of 1474 Cleveland Drive, Cheektowaga, New York (SBL #92.05-1-13) and according to the Assessor's Office is owned by Frank E. Bork III & 1, , Depew, New York 14043, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 28B Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 13 A-D Glenwood Court, Cheektowaga, New York (SBL #91.15-2-25) and according to the Assessors' Office is owned by Charles P. Flading, Cheektowaga,, New York 14225, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

MEETING NO. 17
August 19, 1985

Item No. 29 Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, the Pine Hill Hose Company is hosting a Field Day on Saturday, August 24 and Sunday, August 25, 1985, AND

WHEREAS, Pine Hill Hose Company, as part of their festivities, will be holding two parades; one on Saturday, August 24 at 6:00 P.M. to begin on Pine Ridge Road at Villa Mria College, north on Pine Ridge to Peachtree to Normandy to the Fire Company located at 2435 Genesee Street; and the second, a Kiddie Parade on Sunday, August 25, at 2:00 P.M., to start at Kaufman Road and David Avenue to Peachtree to Normandy to the Fire Hall, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law by providing conspicuous detour signs to prevent traffic delays on the above-stated parade routes.

Upon Roll Call....

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

Item No. 30 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Cheektowaga Central High School desires to have a Homecoming Parade on Friday, September 27, 1985 starting at 7:00 P.M., AND

WHEREAS, the Homecoming Parade route will be as follows: Beginning at the Key Industry parking lot on the north side of South Creek Drive; thence proceeding westbound on South Creek Drive to Nagel Drive; thence westbound on Zoerb Avenue to Union Road; thence westbound across Union Road at the traffic signal to the Cheektowaga Central High School parking lot and track field, AND

WHEREAS, Cheektowaga Central High School has requested permission from this Town Board to have its Homecoming Parade and desires a police escort therefor, AND

WHEREAS, this Town Board desires to approve the Homecoming Parade for Cheektowaga Central High School, NOW, THEREFORE, BE IT

RESOLVED that Cheektowaga Central High School be and hereby is authorized to conduct its Homecoming Parade along the above mentioned route, AND, BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort arrangements for such Homecoming Parade and to ensure compliance with Section 1660 (a) (6) of the Vehicle and Traffic Law of the State of New York, AND, BE IT FURTHER

RESOLVED that this Town Board hereby also encourages Forks Hose Company No. 2 to supervise and extinguish the Bon Fire planned by Cheektowaga Central High School for its Homecoming Pep-Rally.

Upon Roll Call....

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

Item No. 31 Motion by Supervisor Weber Seconded by Councilman Johnson

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

Item No. 31 Cont'd.

GENERAL FUND

From: 2036.000 (Sr. Citizen-Special Events-Revenue) \$3,000.00
1420.4001 (Law-Office Supplies) 76.00

To: 7620.4401 (Sr. Citizens-Special Events-Expenses) \$3,000.00
1420.2301 (Law-Office Equipment) 76.00

SPECIAL DISTRICT FUND

From: 858160.4009 (Sanitation-Recycling Expense) \$3,000.00
548135.4547 (Plant No. 5-Sludge Removal) 2,000.00

To: 858160.4001 (Sanitation-Maintenance Supplies) \$3,000.00
548135.4021 (Plant No. 5-Maintenance Supplies) 2,000.00

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

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Councilman W. P. Rogowski

Item No. 32 Motion by Supervisor Weber Seconded by Councilman Johnson

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to August 19th, 1985 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	\$171,452.08
SPECIAL DISTRICTS FUND	165,613.61
HIGHWAY FUND	175,428.42
FEDERAL REVENUE SHARING FUND	29,615.93
CAPITAL FUND	122,623.35
TRUST AND AGENCY FUND	7,390.64
PART TOWN FUND	327.45
HUD REHABILITATION FUND	10,073.55
DEBT SERVICE FUND	66,040.00
	<u>\$748,565.03</u>

Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, J.V. Rogowski, Jaworowicz,
Kowal and Gabryszak

NAYES: 0

ABSENT: Councilman W. P. Rogowski

II. FROM THE TABLE

Item No. 33 Motion by Supervisor Weber Seconded by Councilman Kowal

WHEREAS, Section 103 of the General Municipal Law makes it possible for a Town to standardize on a particular type of equipment, material or supplies by adopting a resolution, and

WHEREAS, the State Comptroller has stated in an Opinion Letter No. 78-812 that a municipality that has standardized on a particular item which in fact can be purchased from a single source would eliminate the need for bidding, and

WHEREAS, the Town of Cheektowaga purchased a computer for the accounting and payroll department from the NCR Corporation in March of 1982 and now

Item No. 33 Cont'd.

wishes to standardize its equipment to just the NCR Corporation because of the following reasons:

- a) The Town is under current contract with the NCR Corporation which expires in March 1987 and the Town can't purchase a computer to replace the NCR computer without violating the existing agreement.
- b) A minimal amount of training of personnel would be required to familiarize with any upgrade of our NCR equipment.
- c) Any upgrade of existing equipment would use the existing software programs, along with supplies, materials and other equipment, and

WHEREAS, any upgrade of our NCR computer equipment can be purchased solely from the NCR Corporation, NOW, THEREFORE, BE IT

RESOLVED that the Town wishes to standardize its computer equipment in the accounting and payroll department to that of the NCR Corporation and, BE IT FURTHER

RESOLVED that the Town wishes to upgrade the present NCR 9020 computer processor in the accounting and payroll department to a NCR 9300 computer processor at an initial cost of \$46,057.00 plus software migration charges, and, BE IT FURTHER

RESOLVED that any computer software maintenance or installation work not done by NCR personnel shall be done by Computer Resolutions, Inc. at a charge of \$40.00 per hour.

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

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 34 Alfred F. Wnek, Highway Superintendent and Leonard J. Smolarek, Chief of Police: Letter regarding transfer of sign maintenance personnel to Police Department.
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 35 New York State Department of Transportation: Designation of Restricted Highway: Portion of N.Y. Route 33, Genesee Street.
Received and filed.

Item No. 36 Petition from residents of Lou Ann Drive and Sable Palm Drive regarding request for Niagara Mohawk Power Authority to conduct a "Mole Control Inspection and Prevention Program."
Received and filed.

Item No. 37 Petition from residents of Genesee-Pine Hill-Walden Area requesting increased Police protection in area.
Copies of this petition were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Leonard J. Smolarek, Chief of Police; and Karen McAuley, Council Secretary.
Received and filed.

MEETING NO. 17
August 19, 1985

Item No. 38 Petition from residents of Beryl Drive, Thruway Court and Lucid Drive regarding request for repaving of same streets. A copy of this petition was sent to Alfred Wnek, Highway Superintendent.
Received and filed.

Item No. 39A Summons and Complaint: Janet Purpura, as Mother and Natural Guardian of Mark Purpura, an Infant, and Janet Purpura, Individually vs. Town of Cheektowaga.
Copies of this Summons were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 39B Summons and Complaint: Carmello M. Ziembo vs. Town of Cheektowaga.
Copies of this Summons were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; James Burst, Foreman, Sewer Maintenance Department; and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 40A Notice of Claim: Monica & Conrad Szeffel vs. Town of Cheektowaga
Copies of this Claim were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 40B Notice of Claim: Henry Jazwiecki vs. Town of Cheektowaga
Copies of this Claim were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Thomas Johnson, Councilman; Alfred Wnek, Highway Superintendent; James Burst, Foreman, Sewer Maintenance Department; and Joseph J. Naples and Associates, Town's Insurance Carrier.
Received and filed.

Item No. 41 Notice and Petition: Sorrento Cheese Co., Inc. vs. Town of Cheektowaga
Copies of this Notice and Petition were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; and Casimir Kozminski, Assessor.
Received and filed.

Motion by Councilman Johnson Seconded by Councilman Kowal to suspend the rules to include the following item.

Upon Roll Call....

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

MEETING NO. 17
August 19, 1985

V. SUSPENSION OF RULES

Item No. 42 Call for Public Hearing: Rezoning of property to the rear of 6650 Transit Road from M1-Light Manufacturing District to M2-General Manufacturing District.

Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, S. T. Macaluso III, as agent for Stott & Davis Motor Express, Inc., the New York State Thruway Authority and Red Star Express Lines, Inc., has made application and requested the rezoning of property to the rear of 6650 Transit Road at New York State Thruway Exit 49 from M1-Light Manufacturing District to M2-General Manufacturing District, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 3, 1985 at 6:30 P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached "Legal Notice" in the CHEEKTOWAGA TIMES" to call for a public hearing on the above-referenced property, as further described in the legal description attached to such "Legal Notice."

Upon Roll Call....

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

*SEE NEXT THREE (3) PAGES FOR COPY OF LEGAL NOTICE, LEGAL DESCRIPTION AND AFFIDAVIT OF PUBLICATION.

AFF

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 3rd day of September 1985, at 6:30 o'clock P.M., Daylight Saving Time of said day for the purpose of considering the application of Scott & Davis Motor Express, Inc.

_____ to Rezone from
M-1 Light Manufacturing District
to M-2 General Manufacturing District

on property located at rear of 6650 Transit Road
and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

* SEE REVERSE SIDE FOR DEED DESCRIPTION

LEGAL DESCRIPTION OF LAND TO BE REZONED

An 8.1± acre parcel of unimproved land located in the Town of Cheektowaga, Erie County, State of New York, roughly trapezoidal in shape, bounded by lands of the New York State Thruway Authority, laying generally to the south of the Thruway main line and to the rear of other lands west of Transit Road. Access to Transit Road will be via a road constructed by purchaser on a 40 foot wide strip of land included in the property being conveyed.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication Aug. 22, 1985 ;
last publication Aug. 22, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 23rd

day of August, 1985

Cecelia Westoven

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

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 3rd day of September 1985, at 8:30 o'clock P.M., Daylight Saving Time of said day for the purpose of considering the application of Stott & Davis Motor Express, Inc. to Rezone from M-1 Light Manufacturing District to M-2 General Manufacturing District on property located at rear of 6650 Transit Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

An 8.1± acre parcel of unimproved land located in the Town of Cheektowaga, Erie County, State of New York, roughly trapezoidal in shape, bounded by lands of the New York State Thruway Authority, laying generally to the south of the Thruway main line and to the rear of other lands west of Transit Road. Access to Transit Road will be via a road constructed by purchaser on a 40 foot wide strip of land included in the property being conveyed.

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

BY ORDER OF THE TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

PUBLISH: August 22, 1985

MEETING NO. 17
August 19, 1985

Item No. 43 Motion by Councilman Kowal Seconded by Councilman Jaworowicz to adjourn the meeting

RICHARD M. MOLESKI
Town Clerk

PUBLIC HEARINGS HELD AT 6:30 P.M.

Meeting No. 18 September 3, 1985

- 1 Rezoning from M1-Light Manufacturing to CM-General Commercial and Special Use Permit for transmission repair for proeprty at 6650 Transit Road
(see rezoning book)
- 2 Rezoning from m2-Light Manufacturing to M2-General Manufacturing at property to rear of 6650 Transit

Meeting No. 21 October 21, 1985

- 1 Federal Revenue Sharing Funds (See file regarding same)

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RESOLUTIONS cont'd

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MEETING NO. 18
September 3, 1985

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of September, 1985 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Ron Marten, Building and Plumbing Inspector; Pat Wojcik, Recreation Supervisor-Senior Citizens; Casimir Kozminski, Assessor; Alfred Wnek, Highway Superintendent; Judge Henry Gabryszak; Judge Dennis Repka; Sal LaGreca, Employment and Training Program Director II; Don Wegner, Chairman-Zoning Board of Appeals; Julia Reinstein, Town Historian; Al Thrun, Cheektowaga Traffic Safety Commission; Leonard Smolarek, Chief of Police.

I. PUBLIC HEARINGS

Item No. 2a This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Zoning Ordinance of the said Town of Cheektowaga, to effectuate certain technical revisions relating to filing fees for rezoning applications, the permissibility of dog grooming in a C zoning district, side yard requirements in a C zoning district, permissibility of a small animal hospital in a CM zoning district, permitted obstructions in required open spaces and penalties, hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

* See next page for amendments.

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.

REVISIONS TO ZONING ORDINANCE

The proposed amendments are as follows:

- 1) Add a new Section 3-01A2(g) to read as follows:
(g) Dog grooming with no overnight harboring of animals.
- 2) Amend Sections 3-044 and 3-044(a) which read:
3-044 SIDE YARDS - None required except:
(a) Where a side yard is provided it shall be no less than 5 feet wide.

To Read:

3-044 - SIDE YARDS (Two Required)

- (a) Minimum - 5 feet

- 3) Amend Section 3-11A8A which reads:
A. Dog grooming and small animal hospital located at least 100 feet from any R District boundary.

To Read:

- A. Small animal hospital located at least 100 feet from any R District boundary.

- 4) Amend Section 6-36A1 which reads:
1. Access drives or walks.

To Read:

1. Access drives, walks or retaining walls of any necessary height.

- 5) Amend Section 6-36A4 which reads:
4. Retaining walls of any necessary height.

To Read:

4. Roof overhangs projecting not more than one foot into a required open space.

- 6) Amend Section 6-36A7(b) which reads:
(b) Chimneys or roofs projecting not more than 2 feet into a required open space.

To Read:

- (b) Chimneys projecting not more than 2 feet into a required open space.

- 7) Amend Section 10-21 which reads:
10-21 Filing of Petition - A petition to amend, change or supplement the text of this ordinance, or any zoning district as designated on the Zoning Map established herein, shall be filed with the Town Clerk along with a \$40.00 Filing Fee on forms obtained from his office and shall be transmitted by the Clerk to the Board.

To Read:

10-21 Filing of Petition - A petition to amend, change or supplement the text of this ordinance, or any zoning district as designated on the Zoning Map established herein, shall be filed with the Town Clerk along with an \$80.00 Filing Fee on forms obtained from his office and shall be transmitted by the Clerk to the Town Board.

- 8) Amend the first paragraph of Section 8-11, "Penalties", by deleting therefrom the word "day" and by substituting in its place the word "week".

MEETING NO. 18
September 3, 1985

Item No. 2b This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Zoning Ordinance of the said Town of Cheektowaga, to include provisions relating to landscaping of new developments and certain other properties within the Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

* See next two (2) pages for amendments

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.

ARTICLE I - GENERAL PROVISIONS

SECTION 1-60 LANDSCAPING REGULATIONS

1-61 INTENT

It is the purpose and intent of this section to:

1-61.1 Protect and promote the public health, safety and general welfare by requiring the landscaping of all nonresidential developments, including parking areas and incorporating said landscaping as an integral part of the entire development.

1-61.2 Establish minimum standards and criteria for the landscaping of all nonresidential developments, to discourage the unnecessary clearing and disturbing of land so as to preserve the natural and existing growth of flora and to replace removed flora or plant new flora indigenous to the Western New York region.

1-61.3 Reduce the effects of wind and air turbulence, heat and noise and the glare of automobile lights.

1-61.4 Provide unpaved areas for the absorption of surface waters.

1-61.5 Reduce the level of carbon dioxide and return pure oxygen to the atmosphere.

1-61.6 Prevent soil erosion.

1-61.7 Provide shade.

1-61.8 Conserve and stabilize property values and to otherwise facilitate the creation of a convenient, attractive and harmonious community.

1-61.9 Create attractive buffers between the street right-of-way and the property line.

1-61.10 Relieve the blighting appearance of parking areas.

1-61.11 Generally preserve a healthful and pleasant environment through the use of landscaping for privacy and screening adjacent uses.

1-62 Definitions

1-62.1 Landscape area - the area required or permitted under this section to be devoted to landscaping.

1-62.2 Parking area - the off-street parking area and loading and unloading area required by Article V of this ordinance.

1-63 General Provisions

1-63.1 Developments of attached dwelling units in the RA, TC, C and CM Districts and all nonresidential developments otherwise subject to development plan review shall meet the requirements of this section. A landscape plan pursuant to Section 1-64 shall be submitted to the Town Planning Board and recommended for approval to the Town Board as a part of the review procedure.

1-63.2 The landscape plan shall be drawn to scale, including dimensions and distances, and shall clearly delineate existing and proposed structures, uses, parking area, access aisles, drainage pattern and the location, size and description of all landscape materials existing and proposed, including all trees and shrubs, and including those existing plant materials that are to be removed and such other information as may be required by the Planning Board.

1-64 Standards and Criteria

1-64.1 Each development which is subject to the provisions of this ordinance shall provide for a landscape area which is not less than fifteen percent (15%) of the total area of the development. Parking areas designed for twenty five (25) or more cars shall reserve five percent (5%) of said area for landscaping.

1-64.2 A landscaped area at least ten (10) feet wide shall be provided along the perimeter of a parking area.

1-64.3 Notwithstanding anything contained in Section 5-320 to the contrary, front yards, to a minimum of twenty five (25) feet, shall be landscaped and parking shall be prohibited in said area. The Planning Board reserves the right to recommend relief from this requirement where a landscape plan provides an adequate buffer from front yard parking.

1-64.4 Vegetation shall be compatible with soil conditions on the development site and the regional climate.

1-64.5 Existing natural features and vegetation shall be preserved and incorporated in the landscaped area wherever possible.

1-64.6 The primary emphasis of the landscape treatment shall be on trees. Shrubbery, hedges, grass and other vegetation are to be used to compliment the use of trees but shall not be the sole contribution to the landscape treatment.

1-64.7 The interior dimensions of any landscaped area or median shall be designed in accordance with the American Association of Nurserymen standards for planting bed size to protect the plant materials planted therein and insure proper growth.

1-64.8 All deciduous trees planted shall have a minimum caliper of two and one-half (2 1/2) inches, measured six (6) inches above the ground. All coniferous trees shall have a minimum height of five (5) feet above the finished grade.

1-64.9 Plastic or other types of artificial plantings or vegetation shall not be permitted.

1-65 Existing and New Development

Existing development in all Districts completed prior to the enactment of this ordinance that may require a rezoning, a change in use, or building permit to expand or modernize shall comply with the requirements of Sections 1-64.1 through 1-64.9 inclusive. New developments shall be required to have landscaping in place and completed prior to the issuance of a certificate of occupancy. In the event seasonal conditions prevent completion of the required landscaping, until the following planting season, the Planning Board shall set a completion date and the owner shall post a certified check in the amount of 100% of the cost of the landscaping as verified by a Landscape Architect. Said certified check shall be made payable to the Town of Cheektowaga Town Clerk and shall be redeemable after completion and approval of said landscaping work by the stated completion date. In the event the landscaping plan is not completed by the prescribed date, the owner shall forfeit the deposited amount and the Town shall authorize installation of said landscaping.

1-66 Maintenance and Enforcement.

All landscaped areas required and/or permitted by this section shall be maintained and preserved according to the plan as originally approved. Violations of Section 1-60 shall be governed by Section 8-10 of this Zoning Ordinance.

II. RESOLUTIONS

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

BE IT RESOLVED that the public hearing on proposed amendments to the Traffic Ordinance of the Town of Cheektowaga be held on September 16, 1985 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 5th day of September, 1985 said amendments being set forth in the Notice of Hearing.

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on September 16, 1985 at 7:00 P.M., to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga; said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

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

F. Miscellaneous parking signs

(15) No Stopping

E. DELAVAN AVENUE South side from east curblineline of East End Avenue easterly to a point 330 feet therefrom

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

Dated: September 3, 1985

RICHARD M. MOLESKI
Town Clerk

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication Sept 5, 1985..... ;
last publication Sept 5, 1985..... ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 6th.....

day of September....., 1985.....

Cecelia Westoven.....

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

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

No. 19

No. 20

No. 21

LEGAL NOTICE

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on September 16, 1985 at 7:00 P.M., to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga; said proposed amendments being as follows:

ARTICLE X

Parking, standing and stopping
Section 102. Parking prohibited in designated locations shall be amended by adding thereto the following:

F. Miscellaneous parking signs
(15) No stopping

E. DELAVAN AVENUE, South side, from east curbline of East End Avenue easterly to a point 330 feet therefrom.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 3, 1985
PUBLISH: September 5, 1985

MEETING NO. 18
September 3, 1985

Item No. 4 Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, bids were received on August 1, 1985 for the terminated contract for the Cedargrove Heights Neighborhood Improvement Project, Stage II, Phase IV, as required by the U.S. Department of Housing and Urban Development, and

WHEREAS, the low bidder for the completion of this project is Campobello Construction Company, Inc. for their low bid price of \$61,245.00, and

WHEREAS, all the bids received on August 1, 1985 were reviewed by Nussbaumer & Clarke, Inc., Consulting Engineers, and tabulated in their letter of August 5, 1985 to the Town Engineer, and

WHEREAS, it is the recommendation of said consultants and the Town Engineer that the bid be awarded to Campobello Construction Company, Inc. for their submission of the lowest bid meeting the requirements of the specifications, and

WHEREAS, funding for the completion of this project will be supplemented by additional Community Development Block Grant Funds with the anticipation that there will be a recovery of such additional costs through the New York State Guaranteed Fund, NOW, THEREFORE, BE IT

RESOLVED that this Town Board award the completion contract for the Cedargrove Heights Neighborhood Improvement Project, Stage II, Phase IV to Campobello Construction Company, Inc., 3170 Delaware Avenue, Buffalo, New York 14217 for their bid price of \$61,245.00, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign said agreement on behalf of the Town of Cheektowaga.

Upon Roll Call....

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

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

WHEREAS, in the conversion of the old primary settling tank to a Sewer Maintenance Garage there is a need to pave the parking area and service road, NOW, THEREFORE, BE It

RESOLVED that the request to pave the parking area and service road be granted and that the Town Clerk be directed to publish a Notice to Bidders for said construction, 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 September 16, 1985 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall Council Chambers, at which time they will be publicly opened and read, and BE IT FURTHER

RESOLVED that funds for said paving are to be transferred from the Sewer District #5 Remedial Account #508125.4543.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 16, 1985 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the paving of the parking area and service roads at the new Sanitary Sewer Maintenance Garage 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.

Item No. 5 cont'd

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

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.

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: September 3, 1985

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....*Sept. 5, 1985*.....;
last publication.....*Sept 5, 1985*.....;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this*6th*.....

day of*September*....., 19*85*.....

Cecelia Westoven

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

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

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 16, 1965 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the paving of the parking area and service roads at the new Sanitary Sewer Maintenance Garage 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 formal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any formalities, 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.

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: September 3, 1965
PUBLISH: September 5, 1965

Item No. 6 Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, the Cable Communications Policy Act of 1984 ("Act") was enacted by the Federal Government and became effective as of December 29, 1984, and

WHEREAS, Section 623 of such Act allows cable television companies, without the permission and/or input of the municipalities, to raise their rates 5% each year until December 29, 1986, after which there will be no control over the rates charged by cable television companies, and

WHEREAS, this Federal legislation was enacted without the input or knowledge of the Town of Cheektowaga or of other municipalities in this area, and

WHEREAS, cable television companies, in effect, have monopolies on cable television services in their respective municipalities because the cost to competitors to establish another cable television system in a municipality is exorbitant and does not allow them to charge competitive rates, and

WHEREAS, such decontrol of cable television rates is expected to cost cable television subscribers more money, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the Federal legislators to review Section 623 of the Cable Communications Policy Act of 1984 and to amend same so as to allow local rate regulation of cable television, and BE IT FURTHER

RESOLVED that municipalities in Erie County be and hereby are urged to support the Town of Cheektowaga in its petition to memorialize the Federal legislators to amend Section 623 of the Act so as to allow local rate regulation, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution to U.S. Senators Alfonse D'Amato and Daniel Patrick Moynihan, Congressman Henry J. Nowak and to all municipalities in Erie County.

Upon Roll Call....

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

Item No. 7a Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, many municipalities in New York State are experiencing difficulties in obtaining liability insurance coverage, and

WHEREAS, those municipalities which are able to obtain liability insurance coverage are burdened by skyrocketing insurance premiums, and

WHEREAS, the New York State Legislature, in an effort to facilitate access by municipalities to reasonably-priced liability insurance, has introduced legislation (Assembly Bill No. 8232) to create a New York Municipal Tort Liability Joint Underwriting Association, and

WHEREAS, such Joint Underwriting Association (JUA) will be composed of all liability insurance carriers in New York State with oversight provided by the State Superintendent of Insurance, and

WHEREAS, the creation of this JUA will ensure that liability insurance coverage is available to municipalities at reasonable costs, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature and Governor Cuomo to enact Assembly Bill No. 8232 to create the Joint Underwriting Association, and BE IT FURTHER

Item No. 7a cont'd

RESOLVED that municipalities in Erie County be and hereby are urged to support the Town in its request that the New York State Legislature and Governor Cuomo enact Assembly Bill No. 8232, and BE IT FURTHER

RESOLVED that copies of this resolution be forwarded by the Town Clerk to Assemblyman Dennis T. Gorski, Senator Dale M. Volker, Governor Mario M. Cuomo and to all municipalities in Erie County.

Upon Roll Call....

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

Item No. 7b Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, presently New York State law provides that all defendants are jointly and severally liable to a plaintiff for any judgment rendered against them, thereby allowing a plaintiff to collect the entire amount of the judgment from one defendant, regardless of the portion of liability attributed to that defendant, and

WHEREAS, municipalities many times pay a disproportionately greater share of the damages awarded because a plaintiff cannot collect against other co-defendants who may be primarily responsible, and

WHEREAS, Senate Bill No. 6845-A, currently pending in the New York State Legislature, would create a new Article 4-A in the General Municipal Law to limit the amount of damages awarded against a municipalities to its equitable share of the total damages awarded when such public entity is less than 50% negligent, and

WHEREAS, such legislation will hopefully save the Town of Cheektowaga and its taxpayers money by reducing court awards and insurance premium costs, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature and Governor Mario M. Cuomo to enact Senate Bill No. 6845-A, and BE IT FURTHER

RESOLVED that municipalities in Erie County be and hereby are urged to support the Town in its aforementioned memorialization, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward copies of this resolution to Assemblyman Dennis T. Gorski, Senator Dale M. Volker, Governor Mario M. Cuomo and to all municipalities in Erie County; a copy of this resolution shall also be forwarded to Stanley Fink, Speaker of the New York State Assembly.

Upon Roll Call....

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

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

WHEREAS, the Town of Lancaster has asked the Town of Cheektowaga to enter into an agreement with it for the proper disposal of dead dogs for the Town of Cheektowaga, and

WHEREAS, Cheektowaga's dog control officers have stated that such dogs could be economically disposed of by them for a cost of \$5.00 per dog, and

WHEREAS, an agreement between the Towns of Lancaster and Cheektowaga has been prepared and is acceptable to the Town Attorney's Office, and

MEETING NO. 18
September 3, 1985

Item No. 8 cont'd

WHEREAS, this Town Board, in an expression of inter-municipal cooperation, is willing to enter into such an agreement with the Town of Lancaster, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Dog Disposal Agreement on behalf of the Town of Cheektowaga.

* See next three (3) pages for Dog Disposal Agreement

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

DOG DISPOSAL AGREEMENT

Made this 16th day of August, 1985, authorized by Article 5-G of the General Municipal Law of the State of New York and Article (7) of the New York Agricultural and Markets Law, by and between the TOWN OF CHEEKTOWAGA, a municipal corporation in the State of New York, party of the first part, and the TOWN OF LANCASTER, a municipal corporation in the State of New York, and having its office and principal place of business at the Town Hall, 21 Central Avenue, in the Town of Lancaster, County of Erie and State of New York, party of the second part.

W I T N E S S E T H :

That the party of the first part, in consideration of the payment to it by the party of the second part of the sum of money to be paid in the manner hereinafter particularly described, hereby covenants and agrees that:

FIRST: The party of the first part, through its duly appointed agents and employees, will humanely destroy or dispose of, pursuant to and as provided in Section 118 of the Agricultural and Markets Law, dead dogs delivered to the party of the first part by the party of the second part.

SECOND: In consideration of the performance by the party of the first part of the terms of this Agreement, the party of the second part hereby agrees to pay the party of the first part the sum of Five Dollars (\$5.00) per dead dog.

THIRD: The party of the second part hereby agrees to indemnify and hold harmless the party of the first part from and against all claims, damages, losses and expenses, including attorneys' fees, that shall or may be brought against or occasioned by the party of the first part arising out

of the actions of the party of the second part prior to the delivery of the dead dogs to the party of the first part. In no event shall the party of the second part be responsible for damages caused by any negligent acts or omissions on the part of the party of the first part under this Agreement.

FOURTH: The aforesaid sum stated in condition numbered "SECOND" of this Agreement is to be billed monthly on a properly-itemized voucher by the party of the first part to the party of the second part.

FIFTH: Said dead dogs shall be delivered to the Cheektowaga Dog Pound by agents or employees of the party of the second part at a time mutually agreeable to both parties.

SIXTH: This Agreement shall commence on the 1st day of September 1985 and shall continue for a period of one (1) year.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this Agreement to be signed by their duly authorized officers, the day and year first above written.

TOWN OF CHEEKTOWAGA

By *David C. Miller*
Supervisor

(L.S.)

TOWN OF LANCASTER

By *[Signature]*
Supervisor

(L.S.)

STATE OF NEW YORK:
COUNTY OF ERIE : SS:
TOWN OF LANCASTER:

On this 16th day of August, 1985, before me personally came STANLEY JAY KEYSA, to me known to be the Supervisor of the Town of Lancaster, New York, and the person who executed the foregoing instrument on behalf of Town of Lancaster, who, being by me duly sworn, did depose and say that he executed the said instrument by Order and Resolution of the Town Board of the Town of Lancaster, New York, and that the Seal affixed is the seal of such Town and that it was so affixed thereto by like order of the Town Board of said Town.

David J. Brown

DAVID J. BROWN
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MARCH 30, 1986

STATE OF NEW YORK :
COUNTY OF ERIE : SS:
TOWN OF CHEEKTOWAGA:

On this 3rd day of September, 1985, before me personally came DANIEL E. WEBER, to me known to be the Supervisor of the Town of Cheektowaga New York, and the person who executed the foregoing instrument on behalf of the Town of Cheektowaga, who, being by me duly sworn, did depose and say that he executed the said instrument by Order and Resolution of the Town Board of the Town of Cheektowaga, New York, and that the Seal affixed is the seal of said Town and that it was so affixed thereto by like order of the Town Board of said Town.

James J. Kirisits

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1986

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Item No. 9 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

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

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

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

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

44 Santin	-	\$2824.00
59 Peinkofer	-	Increase previous loan amount authorized on 8/5/85 by \$46.50
14 Shanley	-	\$5,773.00

and BE IT FURTHER

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

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

Upon Roll Call....

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

Item No. 10 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board by resolution dated August 19, 1985 formally requested the Erie County Water Authority to install one additional fire hydrant on Transit Road in front of #6450 - #6470 Transit Road, as recommended by the Board of Fire Commissioners of the Hy-View Fire District No. 8, NOW, THEREFORE, BE It

RESOLVED that the Town of Cheektowaga shall assume responsibility for the payment of the annual rental for said additional hydrant and any additional charges demanded by the Erie County Water Authority.

Upon Roll Call....

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

Item No. 11 Authorization for Highway Superintendent to develop two additional baseball diamonds on North Seine Drive.
This item was withdrawn.

MEETING NO. 18
September 3, 1985

Item No. 12a Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, on the 7th day of May, 1984, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board ("EMS Board"); and

WHEREAS, the EMS Board has completed an initial review and evaluation of the various license applications submitted for drivers/attendants, and has recommended that the Town Board license such drivers/attendants, and

WHEREAS, the Town Board pursuant to Section A-5 of the Ambulance Ordinance desires to license such drivers/attendants; NOW, THEREFORE, BE IT

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

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period of one (1) year; and BE IT FURTHER

RESOLVED that the Town Clerk is hereby authorized, directed and empowered to issue a drivers/attendants license to the applicants set forth on the annexed schedule, pursuant to the terms of this resolution.

* See next page for list of drivers/attendants

Upon Roll Call....

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

Item No. 12b Motion by Councilman Johnson, Seconded by Councilman J. Rogowski

WHEREAS, on March 4, 1985, the Town Board granted licenses upon the recommendation of the Emergency Medical Services Board ("EMS Board") to the ambulance vehicles which were set forth on the schedule annexed hereto, and

WHEREAS, the grant of such licenses by the Town Board was conditioned upon the owners of such vehicles entering into a satisfactory agreement with the Town of Cheektowaga for the provision of ambulance services within the Town no later than April 15, 1985, and

WHEREAS, the Town Board has determined that the Ambulance Ordinance, as administered by the EMS Board, provides sufficient regulation and control over the delivery of ambulance services within the Town and that the execution and delivery of such agreements, at this time, is neither desirable nor necessary, NOW, THEREFORE, BE IT

RESOLVED that the provisions of the resolution of March 4, 1985, granting ambulance licenses to the vehicles set forth on the annexed schedule is hereby amended by deleting any requirement that the owners of such vehicles enter into an agreement with the Town of Cheektowaga; and BE IT FURTHER

RESOLVED that the aforementioned resolution granting such licenses, except as amended above, is hereby ratified and affirmed.

Upon Roll Call....

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

DRIVERS/ATTENDANTS
LICENSES

<u>Name</u>	<u>Address</u>	<u>Ambulance Employer</u>
Jay P. Boardway	, Buffalo, N. Y. 14201	Towns
Neil Gerrity	Buffalo, N. Y. 14220	Gold Cross
Harvey Lewit	Buffalo, N. Y. 14215	Gold Cross
Benedict P. Regan, Jr.	, Cheektowaga, N.Y. 14225	Gold Cross
Daniel Domico	Cheektowaga, N. Y. 14225	Gold Cross
Anthony R. Kostyo	Cheektowaga, N. Y. 14227	Gold Cross
Ralph John Stoddard	, Hamburg, N. Y. 14075	Towns

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

WHEREAS, the Student Council of John F. Kennedy High School has requested the Town's permission to hold a motorcade on Saturday, October 5, 1985 at 1:00 P.M., and to have a police escort for same, and

WHEREAS, this motorcade would begin at Doyle I Fire Hall on William Street; then proceed eastbound down William Street to Henry Street; then proceed southbound down Henry Street into the John F. Kennedy High School parking lot, and

WHEREAS, this Town Board desires to approve the aforesaid motorcade and to provide a police escort for same, NOW, THEREFORE, BE IT

RESOLVED that the Student Council of John F. Kennedy be and hereby is authorized to conduct its motorcade at the above mentioned time and place, and BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort arrangements for such motorcade and to ensure compliance with Section 1660(a)(6) of the Vehicle and Traffic Law of the State of New York.

Upon Roll Call....

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

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

WHEREAS, there is need for providing for the provision of air conditioning for five (5) rooms in the Senior Citizens Center, and

WHEREAS, funds were budgeted for the installation of the needed cooling system, NOW, THEREFORE, BE IT

RESOLVED that the proposal as submitted by the consulting engineering firm of Babinsky Engineers dated August 15, 1985 to the Town Engineer for the preparation of plans and specifications and for the provision of services during construction be and hereby is accepted, and BE IT FURTHER

RESOLVED that the cost of \$3,800 for said professional services to be charged to the Senior Citizens Center Budget #7620.2511.

Upon Roll Call....

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

Item No. 14b Motion by Councilman Kowal, seconded by Councilman W. Rogowski

WHEREAS, there is need to provide for indoor storage of highway vehicles in order to protect the equipment and to substantially reduce the response time of the highway crews during the winter period, and

WHEREAS, legislation is waiting for the Governor's signature so as to allow the Town to undertake the construction of a Highway Garage, and

WHEREAS, funds have been budgeted for this purpose and this Town Board is anxious to proceed with this project in the shortest time possible, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Donald T. Maharan Associates, as submitted to the Town Engineer in their letter dated May 10, 1985 for the provision of architectural and engineering services for the construction of the Highway Garage be and hereby is accepted, and BE IT FURTHER

Item No. 14b cont'd

RESOLVED that the Supervisor is directed and authorized to sign said agreement with Donald T. Maharan Associates on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the costs of said architectural and engineering services shall be charged to the Highway Garage construction account #5132.2518.

THE RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN KOWAL, SECONDED BY SUPERVISOR WEBER AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Motion by Councilman Kowal, seconded by Councilman W. Rogowski

WHEREAS, there is need to provide for indoor storage of highway vehicles in order to protect the equipment and to substantially reduce the response time of the highway crews during the winter period, and

WHEREAS, legislation is waiting for the Governor's signature so as to allow the Town to undertake the construction of a Highway Garage, and

WHEREAS, funds have been budgeted for this purpose and this Town Board is anxious to proceed with this project in the shortest time possible, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Donald T. Maharan Associates, as submitted to the Town Engineer in their letter dated May 10, 1985 for the provision of architectural and engineering services for the construction of the Highway Garage be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said agreement with Donald T. Maharan Associates on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the costs of said architectural and engineering services shall be charged to the Highway Garage construction account #5132.2518, not to exceed \$10,000.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to rear of 37 A-D Glenwood Court, Cheektowaga, New York, SBL #91.15-2-18, and according to the Assessors' Office is owned by 145 Location Associates, 145 Tudor Road, Buffalo, New York 14215, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Item No. 15 cont'd

Upon Roll Call....

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

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

WHEREAS, by resolutions dated April 1, 1985 and April 15, 1985, the Town of Cheektowaga created and filled the positions of Superintendent-Wastewater Pump Station and Assistant Superintendent-Wastewater Pump Station, and

WHEREAS, thereafter, the Commissioner of Personnel of the County of Erie rendered a determination that such positions are to be placed in the competitive class of the civil service, and

WHEREAS, this Town Board feels that these positions should be placed in the non-competitive class of the civil service because of the confidential character of such positions; the involvement of the appointees to such positions in policy-making; the special level of judgment needed for these positions, etc., NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally goes on record to request the Commissioner of Personnel of the County of Erie to reconsider his determination and to render a new determination that the positions of Superintendent-Wastewater Pump Station and Assistant Superintendent-Wastewater Pump Station be placed in the non-competitive class of the civil service, and BE IT FURTHER

RESOLVED that the Town Attorneys Office be and hereby is authorized and directed to notify the Commissioner of Personnel of the County of Erie of the Town's aforesaid request and the reasons therefor.

Upon Roll Call....

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

Motion by Councilman Kowal, Seconded by Councilman Gabryszak to dispense with the reading of names on Items 17 and 18.

Upon Roll Call....

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

Item No. 17a Motion by Councilman W.P. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

Parks Division - #01-007110-1-0-1491-001

	<u>Effective</u>
John Wiercioch	8/27/85
Frederick Bradley	9/28/85
Randy Klosko	9/29/85
Billy Joe Spradlin	8/22/85
Charles Lattuca	9/28/85
David Lease	9/28/85
Raymond Bienik	9/28/85
Francis Keefe	9/28/85

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Item No. 17a cont'd

Dale Matecki	9/27/85
Francis Strong	9/28/85
Joseph Burgio	9/29/85
Jennifer Tokasz	8/31/85
William Snuk	9/3/85
Mark Dixon	8/28/85
Glen Malik	8/31/85
Robert Germann	8/31/85
Edwin Maturski	8/31/85

Facilities - Clerical - #01-007110-1-0-1391

Carolyn Kszanak	9/7/85
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Street Lighting Division - #02-905182-1-0-1492-001

Scott Henderson	8/30/85
Conrad Scharmach	9/28/85
Patrick Dahn	8/23/85
William Richards	9/21/85
Paul Ciechanski	8/21/85

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals, hired as Seasonal Employees in the various Departments as listed, be and hereby are terminated:

	<u>Effective</u>
<u>SEWER MAINTENANCE DEPARTMENT</u>	
Timothy Wojdan	9/16/85
<u>MAIN PUMP STATION</u>	
David Cavanaugh	9/16/85
John Johnson	9/16/85
<u>TAX OFFICE</u>	
Linda Dietl	9/3/85
Diane Kasinski	9/3/85
<u>POLICE DEPARTMENT</u>	
Kathleen Chojnacki	9/6/85
Colleen Pollo	9/6/85
Theresa Przybyl	9/6/85
Elizabeth Chirico	9/6/85
Deborah Przepiora	8/23/85

Upon Roll Call....

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

MEETING NO. 18
September 3, 1985

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

BE IT RESOLVED that the following individuals, hired as Seasonal Employees, be and hereby are terminated effective as follows:

Czajka, James	9/27/85
Kazmierczak, Bryan	9/13/85
Keefe, Patrick	9/13/85
Lenartowicz, Kevin	9/13/85
Szczepanik, John	9/13/85
Slisz, Rick	8/2/85
Szalasny, Donald	9/13/85
Thompson, Mike	8/22/85
Tourjie, John	9/20/85
Holas, Roger	8/16/85
Macris, Karen	8/22/85

Upon Roll Call....

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

Item No. 18 Motion by Councilman Johnson, Seconded by Councilman W. Rogowski

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

	<u>Effective</u>
<u>SANITATION - \$3.10 per hour</u>	
Daniel Ciechanski	Immediately
<u>SEWER MAINTENANCE DEPARTMENT - \$3.10 per hour</u>	
Robert Latshaw	Immediately
Robert Lynch	Immediately
<u>TAX OFFICE - \$25.00 per day</u>	
Kathleen Caprio	9/3/85
Beatrice Clark	9/3/85
Patricia Cosamano	9/3/85
Carol Filippi	9/3/85
Jackie Wnek	9/3/85
<u>FACILITIES DEPARTMENT - \$3.10 per hour - Acct. #01-007110-1-0-1491-001</u>	
Gordon Hagmier	Immediately
<u>POLICE DEPARTMENT - \$3.10 per hour</u>	
Colleen Pollo	9/9/85
<u>ASSESSORS OFFICE - \$3.50 per hour</u>	
Judith Freer	

Upon Roll Call....

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

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

BE IT RESOLVED that Barbara Volk of Cheektowaga, New York 14211 be hired as a part-time nutrition site manager at \$3.75 per hour, at a maximum of 20 hours weekly.

Upon Roll Call....

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

Item No. 20 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, the General Electric Lighting Institute will be offering a conference on street and roadway relighting in Cleveland, Ohio from September 16 - 18, 1985, and

WHEREAS, this conference will be dedicated to showing how street lights can be economically relighted, how to perform equipment maintenance on lights and to a variety of other topics related to street lighting, and

WHEREAS, William Pugh, Junior Engineer for the Town, has expressed a desire to attend this conference, and

WHEREAS, this Town Board feels that Mr. Pugh's attendance at the aforesaid conference will be of great value to the Town, NOW, THEREFORE, BE IT

RESOLVED that William Pugh be and hereby is authorized to attend the aforementioned street and roadway relighting conference in Cleveland, Ohio from September 16 - 18, 1985 and shall continue to receive his regular salary while at such conference, and BE IT FURTHER

RESOLVED that the Town shall pay the \$185.00 registration fee and reimburse Mr. Pugh for all reasonable expenses, including hotel accommodations and transportation he incurs to attend such conference, and BE IT FURTHER

RESOLVED that the registration fee and other expenses shall be paid out of the Town budget, line item number 1910.4082.

Upon Roll Call....

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

Item No. 21 Motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, there exist two 9400 lumen mercury vapor street lamps (Pole Nos. 204-1 and 204-2) on steel standards located on the Broadway bridge over the New York State Thruway in the Town of Cheektowaga, and

WHEREAS, New York State Electric & Gas Corporation has notified the Town that the above steel standards are rusted and in poor condition and require replacement, and

WHEREAS, New York State Electric & Gas has recommended that these lights be replaced with 8500 lumen high pressure sodium lamps and be placed on existing wood poles which are located in close proximity to the present steel standards, and

WHEREAS, replacement of Pole Nos. 204-1 and 204-2 with high pressure sodium lamps on existing wood poles will mean an annual savings to the Town's General Lighting District of \$64.29, and

MEETING NO. 18
September 3, 1985

Item No. 21 cont'd

WHEREAS, there will be a one-time charge to the Town of \$227.24 by New York State Electric & Gas for the unrecovered cost of two mercury vapor lamps and labor to remove two steel standards which will be returned to the Town; the standard bases to be removed by the Town, NOW, THEREFORE, BE IT

RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to remove the two aforementioned 9400 lumen mercury vapor lamps, 67 feet of cable and conduit and two bracket allowances, and install two 8500 lumen high pressure sodium lamps, one 14-foot and one 22-foot bracket on Poles 205 and 206, and BE IT FURTHER

RESOLVED that the above state work shall be done in accordance with the attached proposal submitted by New York State Electric & Gas Corporation, which is hereby made a part of this resolution.

Upon Roll Call....

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

* See next two (2) pages for proposal



August 22, 1985

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Broadway (bridge over Thruway)

Install 2-8500 lumen HPS lamps @ \$98.55 ea. ----- \$ 197.10
(P-205,206, L-282)

Install 1-14' bracket @ \$17.31 ea. ----- \$ 17.31

Install 1-22' bracket @ \$23.08 ea. ----- \$ 23.08
(P-205,206, L-282)

Annual Increase ----- \$ 237.49

Remove 2-9400 lumen MV lamps @ \$135.19 ea. ----- \$ 270.38

Remove 67' cable & conduit @ \$.6774/ft. ----- \$ 45.38
(Stds. 204-1,204-2, L-SU618)

Remove 2 - bracket allowances @ \$6.99 ea. ----- \$ (13.98)
(Stds. 204-1,204-2, L-SU618)

Annual Decrease ----- \$ 301.78

A one-time charge of \$227.24 will be billed to the Town of Cheektowaga for unrecovered cost of two mercury vapor fixtures and labor to remove two steel standards and return them to the town maintenance building. Bases to be removed by the Town of Cheektowaga.

TOTAL ANNUAL DECREASE -- \$ 64.29

NYSEG

August 22, 1985

Mr. Thomas M. Johnson, Councilman
Town of Cheektowaga
Broadway & Union Roads
Buffalo, New York 14227

Dear Mr. Johnson:

The attached proposal is to replace two mercury vapor street lights on the Thruway bridge on Broadway with high-pressure sodium. The existing lights are on steel standards owned by the Town of Cheektowaga which are rusting and in poor condition. Instead of replacing the standards, the new lights could be installed on existing wood poles that are located in the same area.

If you would prefer to have the steel standards replaced or repaired, please contact me and I will submit a new proposal just to replace the fixtures.

If you have any questions, please contact me at 684-9800, ext. 301.

Very truly yours,


Dale R. Farey
Street Lighting Representative

DRF/srr
att.

MEETING NO. 18
September 3, 1985

Item No. 22 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

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

GENERAL FUND

From:	7310.4691 (Youth-Developmentally Disabled Day Camp)	\$1,708.74
	7310.4691 (Youth-Developmentally Disabled (Day Camp))	200.00
To:	7310.4431 (Youth-Equipment Repairs and Maint)	\$1,708.74
	7310.4001 (Youth-Office Supplies)	200.00

FEDERAL REVENUE SHARING FUND

From:	8540.4571 (Miscellaneous Erosion Control)	\$ 28.69
	8540.4577 (Ellicott Creek Drainage)	296.25
	8540.4587 (Weed Control)	479.14
To:	8540.4573 (Scajaquada Creek Drainage)	\$ 804.08

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

William L. Wielinski.

Upon Roll Call....

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

Item No. 23 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$101,017.28
SPECIAL DISTRICT FUND	66,822.04
HIGHWAY FUND	55,865.17
FEDERAL REVENUE SHARING FUND	\$ 7,194.75
CAPITAL FUND	45,062.13
TRUST AND AGENCY FUND	30.33
HUD-CDBG FUND	18,284.74
PART TOWN FUND	1,436.80
	<u>\$295,713.24</u>

Upon Roll Call....

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

III. FROM THE TABLE

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

WHEREAS, by resolution dated August 5, 1985, this Town Board appointed Dawn Shane, part-time clerk, to the position of Temporary Clerk-Typist in the Justice Court, and

WHEREAS, due to such appointment, Ms. Shane's prior position of part-time clerk was left vacant, and

WHEREAS, this Town Board wishes to fill such vacancy, and

Item No. 24 cont'd

WHEREAS, Evelyn S. Sloane previously applied for the position of Temporary Clerk-Typist, is on the County civil service certified list for Clerk-Typist, is otherwise qualified for the position and has expressed her interest in accepting the position of part-time clerk in the Justice Court, and

WHEREAS, Justice Dennis L. Repka has recommended that this Town Board appoint Evelyn S. Sloan to the position of part-time clerk in the Justice Court, NOW, THEREFORE, BE IT

RESOLVED that Evelyn Sloane of _____, Cheektowaga, New York 14206 be and hereby is appointed to the position of part-time clerk in the Justice Court, effective immediately.

Upon Roll Call....

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

THIS RESOLUTION WAS DENIED!

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 25 Building Permits
Received and Filed.

Item No. 26 Cheektowaga Planning Board - minutes of July Meeting
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 27 Petition from property owners located near or adjacent to Goldome at Como Mall regarding clean-up of property
Copies were sent to: Daniel E. Weber, Supervisor; Council Secretary; Ron Marten, Building and Plumbing Inspector
Received and Filed.

Item No. 28a NOTICE OF CLAIM - Richard Michalak vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting Department; J.J. Naples, Insurance Company; Leonard Smolarek, Chief of Police.
Received and Filed.

Item No. 28b NOTICE OF CLAIM - Judy Smentkiewicz vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting Department; J.J. Naples, Insurance Company; Jim Matecki, Facilities Department; Mike Miecznikowski, Recreation Department
Received and Filed.

Item No. 29a NOTICE OF PETITION - Dynamic Enterprises, Inc. vs Town Assessor, Board of Assessment Review.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.

MEETING NO. 18
September 3, 1985

- Item No. 29b NOTICE OF PETITION - Dynamic Enterprises, Inc. vs Town Assessor, Board of Assessment Review.
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 30 NOTICE & PETITION - Harold Schrutt vs Town Assessor
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 31a NOTICE OF PETITION & PETITION - American Standard, Inc. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 31b NOTICE OF PETITION & PETITION - Nathan Benderson et al vs Town Assessor
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 31c NOTICE OF PETITION & PETITION - National Fuel Gas Distribution Corp. vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 31d NOTICE OF PETITION & PETITION - N.Y.T. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 31e NOTICE OF PETITION & PETITION - Westinghouse Electric Corp. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 32a NOTICE & PETITION TO REVIEW ASSESSMENTS - Niagara Frontier Services, Inc. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 32b NOTICE & PETITION TO REVIEW ASSESSMENTS - Niagara Frontier Services, Inc. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 32c NOTICE & PETITION TO REVIEW ASSESSMENTS - American Precision Industries, Inc. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.

Item No. 32d NOTICE & PETITION TO REVIEW ASSESSMENTS - Manufacturers Hanover, N.A. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.

Item No. 32e NOTICE & PETITION TO REVIEW ASSESSMENTS - American Optical Scientific Instrumentss, Division of Warner-Lambert Technologies, Inc. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman J. Rogowski, Seconded by Councilman Johnson to suspend the rules to include the following two (2) items.

Upon Roll Call....

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

Item No. 33 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Stott & Davis Motor Express, Inc. has petitioned for a rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of property owned by it and located at Exit 49, Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of September, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

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

NOW, THEREFORE, BE IT RESOLVED that the application of Stott & Davis Motor Express, Inc. for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing of 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 be amended in accordance with the above.

Upon Roll Call....

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

* See next page for description.

LEGAL DESCRIPTION OF LAND TO BE REZONED

An 8.1± acre parcel of unimproved land located in the Town of Cheektowaga, Erie County, State of New York, roughly trapezoidal in shape, bounded by lands of the New York State Thruway Authority, lying generally to the south of the Thruway main line and to the rear of other lands west of Transit Road. Access to Transit Road will be via a road constructed by purchaser on a 40 foot wide strip of land included in the property being conveyed.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication Sept. 12, 1985 ;
last publication Sept. 12, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 13th

day of September, 1985

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 3rd day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J. Rogowski

WHEREAS, Stott & Davis Motor Express, Inc. has petitioned for a rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of property owned by it and located at Exit 49, Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of September, 1985 at 8:30 o'clock, P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearings, and

WHEREAS, the Cheektowaga Planning Board has reviewed said application and has recommended approval thereof, and

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

NOW, THEREFORE, BE IT that the application of Stott & Davis Motor Express, Inc. for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing of 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 be amended in accordance with the above.

An 8.1± acre parcel of unimproved land located in the Town of Cheektowaga, Erie County, State of New York, roughly trapezoidal in shape, bounded by lands of the New York State Thruway Authority, laying generally to the south of the Thruway main line and to the rear of other lands west of Transit Road. Access to Transit Road will be via a road constructed by purchaser on a 40 foot wide strip of land included in the property being conveyed.

Upon roll call

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

PUBLISH: September 12, 1985

MEETING NO. 18
September 3, 1985

Item No. 34 MOVED UNANIMOUSLY

WHEREAS, there currently exists an eligible list for Police Captain in the Town of Cheektowaga, such list having been established on the basis of Police Captain Promotion Examination No. 78-330, and

WHEREAS, the aforementioned eligible list is scheduled to expire on March 11, 1986 and,

WHEREAS, the Chief of Police and Assistant Chief of Police have recommended that the current list be extended until September 11, 1986, so as to provide that police officers on such list a full 2 years of eligibility for promotion, and

WHEREAS, this Town Board has reviewed the matter and is in agreement with the recommendation of the Chief of Police and Assistant Chief of Police, and

WHEREAS, Mr. Stanley Zagora, Personnel Commission has the authority to extend, in his discretion, the said current eligible list,

NOW, THEREFORE, BE IT RESOLVED that the letter of the Supervisor to the Commission of Personnel, dated August 7, 1985, requesting an extension of the current eligible list for promotion to Police Captain in the Town of Cheektowaga be and hereby is ratified, and BE IT FURTHER

RESOLVED that the Town Attorney forward a certified copy of this resolution to the County Attorney and Personnel Commission.

Upon Roll Call....

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

Item No. 35 Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to adjourn the meeting in memory of Edward Lelonek.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 16th day of September, 1985 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Al Thrun, Cheektowaga Traffic Safety Commission; Ron Marten, Building and Plumbing Inspector; Sal LaGreca, Employment and Training Director II; Ron Zoeller, Working Foreman-Sanitation Department; Chester Bryan, Town Engineer; Julia Reinstein, Town Historian; Pat Wojcik, Recreation Director-Senior Citizens; Ken Kopacz, Executive Director-Youth Bureau; Leonard Smolarek, Chief of Police.

I. PUBLIC HEARINGS

Item No. 2a This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

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

F. Miscellaneous parking signs

(15) No stopping

E. DELAVAN AVENUE	South side	from east curbline of East End Avenue easterly to a point 330 feet therefrom.
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The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

Item No. 2b This being the time and place advertised for a public hearing relative to Unsafe Buildings and Collapsed Structures Ordinance regarding an unsafe frame single dwelling and detached garage at 43 Lindbergh Court.

Ron Marten, the Town Building Inspector has indicated this was not a Public Hearing, but a hearing for persons interested in this property. A brief presentation was made by Mr. Marten.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication *Sept 19, 1985* ;
last publication *Sept 19, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *20th*

day of *September*, 19 *85*

..... *Cecilia Westoven*

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Johnson

Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on Sept. 3rd, 1985 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

ARTICLE X

Parking, Standing and Stopping

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

F. Miscellaneous parking signs

(15) No stopping

E. DELAVAN AVENUE, South side, from east curbline of East End Avenue easterly to a point 330 feet therefrom.

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

Upon roll call

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: September 19, 1985

No. 20

No. 21

MEETING NO. 19
September 16, 1985

Item No. 4a Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Francis G. Bernacki and Jerome F. Hirsch have petitioned for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of property owned by Francis G. Bernacki and located at 1100 Aero 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 21st day of November, 1984 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any:

1. storage of vehicles will be allowed only behind the fenced area; and
2. approval is granted subject to Section 10-10 of the Zoning Ordinance.

and

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

NOW, THEREFORE, BE IT RESOLVED that the application of Francis G. Bernacki and Jerome F. Hirsch for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended, in accordance with the above.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

COMPLETE RECORD SEARCH

Search No. 581055

Certificate of Complete Record Search, County of ERIE
against all that plot of land situated in the Town of Cheektowaga, County of
Erie and State of New York, being part of Lot Number seventy-
nine (79), Township eleven (11), Range seven (7) of the Holland
Land Company's Survey, bounded and described as follows:-

BEGINNING at a point in the south line of Aero Drive
at the northeast corner of lands conveyed to H. Leon McBride,
Jr. by deed recorded in Erie County Clerk's Office in Liber
7580 of Deeds at page 187; running thence southerly along the
east line of said lands conveyed to McBride one thousand forty-
three and ninety-four hundredths (1043.94) feet to the northwest
corner of lands conveyed to Stuart Jenkins by deed recorded in
Erie County Clerk's Office in Liber 9037 of Deeds at page 195;
running thence northeasterly along the northwesterly line of
lands of Jenkins three hundred thirty-two and twenty-two hundredths
(332.22) feet to the west line of lands conveyed to Pfohl
Brothers by deed recorded in Erie County Clerk's Office in
Liber 5637 of Deeds at page 98; running thence northerly along
the westerly line of lands so conveyed to Pfohl Brothers, six
hundred fifty-eight and two hundredths (658.02) feet to the
southeast corner of lands conveyed to Jerome F. Hirsch by
deed recorded in Erie County Clerk's Office in Liber 8873 of
Deeds at page 502; running thence westerly along the south line
of lands conveyed to Hirsch one hundred fifty (150) feet to the
southwest corner thereof; running thence northerly along the west
line of said lands conveyed to Hirsch three hundred (300) feet
to the south line of Aero Drive; running thence southwesterly
along the south line of Aero Drive one hundred fifty (150) feet
to the point or place of beginning.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication Sept 19, 1985 ;
last publication Sept 19, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 20th

day of September, 1985

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

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

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, Francis G. Bernacki and Jerome F. Hirsch have petitioned for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of property owned by Francis G. Bernacki and located at 1100 Aero 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 21st day of November 1984 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board was reviewed such application and has recommended approval thereof subject to the following conditions if any:

1. storage of vehicles will be allowed only behind the fenced area; and
2. approval is granted subject to Section 10-10 of the Zoning Ordinance.

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Francis G. Bernacki and Jerome F. Hirsch for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and, BE IT FURTHER

RESOLVED, that the Zoning Map and Ordinance of the Town of Cheektowaga be amended, in accordance with the above.

**COMPLETE RECORD SEARCH
Search No. 581055**

Certificate of Complete Record Search, County of ERIE against all that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number seventy-nine (79), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Aero Drive at the northeast corner of lands conveyed to H. Leon McBride, Jr. by deed recorded in Erie County Clerk's Office in Liber 7580 of Deeds at page 187; running thence southerly along the east line of said lands conveyed to McBride one thousand forty-three and ninety-four hundredths (1043.94) feet to the northwest corner of lands conveyed to Stuart Jenkins by deed recorded in Erie County Clerk's Office in Liber 9037 of Deeds at page 195; running thence northeasterly along the northwesterly line of lands of Jenkins three hundred thirty-two and twenty-two hundredths (332.22) feet to the west line of lands conveyed to Pfohl Brothers by deed recorded in Erie County Clerk's Office in Liber 5637 of Deeds at page 98; running thence northerly along the westerly line of lands so conveyed to Pfohl Brothers, six hundred fifty-eight and two hundredths (658.02) feet to the southeast corner of lands conveyed to Jerome F. Hirsch by deed recorded in Erie County Clerk's Office in Liber 8873 of Deeds at page 502; running thence westerly along the south line of lands conveyed to Hirsch one hundred fifty (150) feet to the southwest corner thereof; running thence northerly along the west line of said lands conveyed to Hirsch three hundred (300) feet to the south line of Aero Drive; running thence southwesterly along the south line of Aero Drive one hundred fifty (150) feet to the point or place of beginning.

Upon roll call

Supervisor:	
Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 4a, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: September 19, 1985

MEETING NO. 19
September 16, 1985

Item No. 4b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Francis G. Bernacki has applied for a Special Permit for a repair shop for automobiles and trucks on property located at 1100 Aero Drive, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of November, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to strict compliance with Section 10-10 of the Zoning Ordinance and subject to the condition that storage of vehicles will be allowed only behind the fenced area, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 1100 Aero Drive, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

COMPLETE RECORD SEARCH

Search No. 581055

Certificate of Complete Record Search, County of ERIE
against all that plot of land situated in the Town of Cheektowaga, County of
Erie and State of New York, being part of Lot Number seventy-
nine (79), Township eleven (11), Range seven (7) of the Holland
Land Company's Survey, bounded and described as follows:-

BEGINNING at a point in the south line of Aero Drive
at the northeast corner of lands conveyed to H. Leon McBride,
Jr. by deed recorded in Erie County Clerk's Office in Liber
7580 of Deeds at page 187; running thence southerly along the
east line of said lands conveyed to McBride one thousand forty-
three and ninety-four hundredths (1043.94) feet to the northwest
corner of lands conveyed to Stuart Jenkins by deed recorded in
Erie County Clerk's Office in Liber 9037 of Deeds at page 195;
running thence northeasterly along the northwesterly line of
lands of Jenkins three hundred thirty-two and twenty-two hundredths
(332.22) feet to the west line of lands conveyed to Pfohl
Brothers by deed recorded in Erie County Clerk's Office in
Liber 5637 of Deeds at page 98; running thence northerly along
the westerly line of lands so conveyed to Pfohl Brothers, six
hundred fifty-eight and two hundredths (658.02) feet to the
southeast corner of lands conveyed to Jerome F. Hirsch by
deed recorded in Erie County Clerk's Office in Liber 8873 of
Deeds at page 502; running thence westerly along the south line
of lands conveyed to Hirsch one hundred fifty (150) feet to the
southwest corner thereof; running thence northerly along the west
line of said lands conveyed to Hirsch three hundred (300) feet
to the south line of Aero Drive; running thence southwesterly
along the south line of Aero Drive one hundred fifty (150) feet
to the point or place of beginning.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication Sept 19, 1985 ;
last publication Sept 19, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 20th

day of September, 1985

Cecelia Westoven

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

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

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

Paula Miranda of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks:
first publication Sept 19, 1985 ;
last publication Sept 19, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 20th
day of September, 1985
Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, Francis G. Bernacki has applied for a Special Permit for a repair shop for automobiles and trucks on property located at 1100 Aero Drive, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of November, 1984 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to strict compliance with Section 10-10 of the Zoning Ordinance and subject to the condition that storage of vehicles will be allowed only behind the fenced area, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 1100 Aero Drive, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board.

COMPLETE RECORD SEARCH

Search No. 581055

Certificate of Complete Record Search, County of ERIE against all that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number seventy-nine (79), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Aero Drive at the northeast corner of lands conveyed to H. Leon McBride, Jr. by deed recorded in Erie County Clerk's Office in Liber 7580 of Deeds at page 187; running thence southerly along the east line of said lands conveyed to McBride one thousand forty-three and ninety-four hundredths (1043.94) feet to the northwest corner of lands conveyed to Stuart Jenkins by deed recorded in Erie County Clerk's Office in Liber 9037 of Deeds at page 195; running thence northeasterly along the northwesterly line of lands of Jenkins three hundred thirty-two and twenty-two hundredths (332.22) feet to the west line of lands conveyed to Pfohl Brothers by deed recorded in Erie County Clerk's Office in Liber 5637 of Deeds at page 98; running thence northerly along the westerly line of lands so conveyed to Pfohl Brothers, six hundred fifty-eight and two hundredths (658.02) feet to the southeast corner of lands conveyed to Jerome F. Hirsch by deed recorded in Erie County Clerk's Office in Liber 8873 of Deeds at page 502; running thence westerly along the south line of lands conveyed to Hirsch one hundred fifty (150) feet to the southwest corner thereof; running thence northerly along the west line of said lands conveyed to Hirsch three hundred (300) feet to the south line of Aero Drive; running thence southwesterly along the south line of Aero Drive one hundred fifty (150) feet to the point or place of beginning.

Upon roll call

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 4b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: September 19, 1985

Item No. 4c Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Joseph D. Meiler, on behalf of Isabelle Limardi, has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Isabelle Limardi and located at 440 Cayuga Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 17th day of June, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any: that no more than three automobiles be on display for sale at any one time and that no collision work or automotive painting be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, provided that automobiles on display be parked at least five feet from the sidewalk,

NOW, THEREFORE, BE IT RESOLVED that the application of Joseph D. Meiler for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, described as follows:

Being subdivision Lots Number 65 and 66 as shown on Map Cover No. 1628 and filed in the Erie County Clerk's Office and being situated at the Northwest corner of Cayuga Road and Cleveland Drive and having a frontage of 140.17 feet on Cayuga Road, said map having been filed in the Erie County Clerk's Office on April 2, 1941.

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication *Sept 19, 1985* ;
last publication *Sept 19, 1985* ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this *20th*
day of *September*, 19*85*.

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:
Daniel E. Weber

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

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, Joseph D. Meiler, on behalf of Isabelle Limardi, has petitioned for the rezoning from C-Retail Business District to CM-General Commercial District of property owned by Isabelle Limardi and located at 440 Cayuga Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 17th day of June, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any: that no more than three automobiles be on display for sale at any one time and that no collision work or automotive painting be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, provided that automobiles on display be parked at least five feet from the sidewalk,

NOW, THEREFORE, BE IT RESOLVED, that the application of Joseph D. Meiler for the rezoning from C-Retail Business District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee and, BE IT FURTHER

RESOLVED, that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

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

Being subdivision Lots Number 65 and 66 as shown on Map Cover No. 1628 and filed in the Erie County Clerk's Office and being situated at the Northwest corner of Cayuga Road and Cleveland Drive and having a frontage of 140.17 feet on Cayuga Road, said map having been filed in the Erie County Clerk's Office on April 2, 1941.

Upon roll call

Supervisor:	
Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 4c, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: September 19, 1985

MEETING NO. 19
September 16, 1985

Item No. 4d Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Joseph D. Meiler, on behalf of Isabelle Limardi, has applied for a Special Permit for the sale of used automobiles on property located at 440 Cayuga Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 17th day of June, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the conditions that no more than three automobiles be placed on display for sale at any one time and that no collision work or automotive painting be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 440 Cayuga Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that automobiles on display be parked at least five feet from the sidewalk,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, described as follows:

Being subdivision Lots Number 65 and 66 as shown on Map Cover No. 1628 and filed in the Erie County Clerk's Office and being situated at the Northwest corner of Cayuga Road and Cleveland Drive and having a frontage of 140.17 feet on Cayuga Road, said map having been filed in the Erie County Clerk's Office on April 2, 1941.

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

.....*Paula Miranda*..... of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks;
first publication.....*Sept. 19, 1985*..... ;
last publication.....*Sept. 19, 1985*..... ;
and that no more than six days intervened be-
tween publications.

.....*Paula Miranda*.....

Sworn to before me this*20th*.....

day of*September*....., 19.....*85*.....

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

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson, Jr.

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, Joseph D. Meiler, on behalf of Isabelle Limardi, has applied for a Special Permit for the sale of used automobiles on property located at 440 Cayuga Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 17th day of June, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the conditions that no more than three automobiles be placed on display for sale at any one time and that no collision work or automotive painting be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 440 Cayuga Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that automobiles on display be parked at least five feet from the sidewalk,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

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

Being subdivision Lots Number 65 and 66 as shown on Map Cover No. 1628 and filed in the Erie County Clerk's Office and being situated at the Northwest corner of Cayuga

Road and Cleveland Drive and having a frontage of 140.17 feet on Cayuga Road, said map having been filed in the Erie County Clerk's Office on April 2, 1941.

Upon roll call

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting AYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 4d, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: September 19, 1985

MEETING NO. 19
September 16, 1985

Item No. 4e Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Ronald and Irene Kmiotek have applied for a Special Permit for a collision shop on property located at 480 Kennedy Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of August, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 480 Kennedy Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

4e

LEA 5947 MAR 216

This Indenture,

Made the 7th day of March Nineteen Hundred and fifty-six

Between PONTIAC DEVELOPMENT, INC., 1002 Walbridge Building, Buffalo, New York

party of the first part, and

his wife
GEOFFREY A. DYCE and ADELE H. DYCE/residing at
Cheektowaga, New York

parties of the second part,

Witnesseth that the party of the first part, in consideration of ONE and More - - - - - Dollars (\$ 1.00 & more) lawful money of the United States,

paid by the parties of the second part,

do hereby grant and release unto the parties of the second part, their heirs and assigns forever, all THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number twenty-three (23), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers sixty (60), sixty-one (61) sixty-two (62) and sixty-three (63) as shown on a map filed in Erie County Clerk's office under Cover Number 342.

6m
342

10-23-2

No. 20

No. 21

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication Sept. 19, 1985 ;
last publication Sept. 19, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 20th

day of September, 1985

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:
Daniel E. Weber

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

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, Ronald and Irene Kmiotek have applied for a Special Permit for a collision shop on property located at 480 Kennedy Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of August, 1985 at 8:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 480 Kennedy Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number twenty-three (23), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers sixty (60), sixty-one (61), sixty-two (62) and sixty-three (63) as shown on a map filed in Erie County Clerk's office under Cover Number 342

Upon roll call

Supervisor:	
Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

**STATE OF NEW YORK)
COUNTY OF ERIE)**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 4e, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: September 19, 1985

MEETING NO. 19
September 16, 1985

Item No. 4f Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Renovic, Inc. has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by it and located at 6490 Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of September, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any: strict compliance with the Development Plan submitted and subject to the condition that only transmission repair work be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment provided that the premises are used only for transmission work and that final approval be obtained for connection to the new sanitary sewer at the rear of the property,

NOW, THEREFORE, BE IT RESOLVED that the application of Renovic, Inc. for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and the Environmental Advisory Committee, and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

ELWOOD D. HUMMEL*Licensed Land Surveyor*

341 SOUTH STREET

EAST AURORA, NEW YORK 14052

LEGAL DESCRIPTION

MAY 22, 1985

ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R 7.

THENCE: N-90°00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°00'-W, 296.65 feet to a point.

THENCE: N-00°00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°31'-00"-E 169.86 feet to a point.

THENCE: N-00°00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres, + or -

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for 1 weeks;
first publication Sept 19, 1985 ;
last publication Sept 19, 1985 ;
and that no more than six days intervned be-
tween publications.

Paula Miranda

Sworn to before me this 20th

day of September, 1985

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor:
Daniel E. Weber

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

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, Renovic, Inc. has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by it and located at 6490 Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of September, 1985 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Zoning Ordinance, and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions if any: strict compliance with the Development Plan submitted and subject to the condition that only transmission repair work be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment provided that the premises are used only for transmission work and that final approval be obtained for connection to the new sanitary sewer at the rear of the property,

NOW, THEREFORE, BE IT RESOLVED, that the application of Renovic, Inc. for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions as recommended by the Cheektowaga Planning Board and the Environmental Advisory Committee and, BE IT FURTHER

RESOLVED, that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York, Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°-00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R. 7.

THENCE: N-90°-00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°-00'-W, 296.65 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°-31'-00''-E 189.86 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°-00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°-00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres + or -

Upon roll call

Supervisor:	
Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

(The following text is a vertical strip of text from the reverse side of the page, appearing as bleed-through. It is oriented vertically and reads from bottom to top.)

The consent of the General Partner is needed to substitute an assignee, other than a partner, as a limited partner in the Partnership.
(11) The general partner may not admit new or additional limited partners to the Partnership, except as such new or other limited partners may be admitted as substitute limited partners pursuant to the provisions of the Agreement; and
(12) There are no provisions for the continuation of the business of the Limited Partnership upon the withdrawal, removal, liquidation, bankruptcy, receivership or incapacity of the general partner.

MEETING NO. 19
September 16, 1985

Item No. 4g Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Renovic, Inc. applied for a Special Permit for an automotive transmission repair shop on property located at 6490 Transit Road, Cheekowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 3rd day of September, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to strict compliance with the Development Plan submitted and subject to the condition that only transmission repair work be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 6490 Transit Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that the premises are used only for transmission work and that final approval be obtained for connection to the new sanitary sewer at the rear of the property,

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

Upon Roll Call....

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

See next two (2) pages for Legal Description and AFFIDAVIT OF PUBLICATION

ELWOOD D. HUMMEL*Licensed Land Surveyor*

341 SOUTH STREET

EAST AURORA, NEW YORK 14052

LEGAL DESCRIPTION

MAY 22, 1985

ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R 7.

THENCE: N-90°00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°00'-W, 296.65 feet to a point.

THENCE: N-00°00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°31'-00"-E 169.86 feet to a point.

THENCE: N-00°00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres, + or -

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

Paula Miranda, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication Sept 19, 1985 ;
last publication Sept 19, 1985 ;
and that no more than six days intervened be-
tween publications.

Paula Miranda

Sworn to before me this 20th

day of September, 1985.

Cecelia Westoven

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

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

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 16th day of September, 1985 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

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

ABSENT: 0

Motion by Councilman Jaworowicz

Seconded by Councilman J.V. Rogowski

WHEREAS, **Renovic, Inc.** applied for a Special Permit for an automotive transmission repair shop on property located at 6490 Transit Road, Cheektowaga, New York pursuant to Sections 6-01 and 6-02 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 3rd day of September, 1985 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to strict compliance with the Development Plan submitted and subject to the condition that only transmission repair work be allowed on such premises, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 6490 Transit Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment, provided that the premises are used only for transmission work and that final approval be obtained for connection to the new sanitary sewer at the rear of the property,

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby is granted subject to the above-noted conditions as recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee.

ALL THAT TRACT OR PARCEL OF LAND: situated in The Town of Cheektowaga, County of Erie, and State of New York. Being a part of Lot No. 75, Township 11, Range 7 of The Holland Land Company Survey bounded and described as follows.

STARTING at a point in the East line of Lot No. 75, 2848.01 feet measured N-00°-00'-E along the East line of Lot No. 75 from the southeast corner of Lot No. 75, T. 11, R. 7.

THENCE: N-90°-00'-W, at right angles to the east line of Lot 75, 50.00 feet to a point in the westerly R.O.W. line of Transit Road (100.0' wide) being the point of beginning.

THENCE: N-90°-00'-W, 296.65 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 103.27 feet to a point.

THENCE: N-84°-31'-00'-E 169.86 feet to a point.

THENCE: N-00°-00'-W, parallel with the east line of Lot 75 55.50 feet to a point.

THENCE: N-90°-00'-E, 127.57 feet to a point in the westerly line of Transit Road.

THENCE: S-00°-00'-E 175.00 feet along the westerly line of Transit Road to the point of beginning.

Containing 41,157.88 Square Feet = 0.945 Acres + or -

Upon roll call

Supervisor:	
Weber	Voting AYE
Councilmen:	
Johnson	Voting AYE
W.P. Rogowski	Voting AYE
J.V. Rogowski	Voting AYE
Jaworowicz	Voting AYE
Kowal	Voting AYE
Gabryszak	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 16, 1985, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item 4g, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 16th day of September, 1985.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: September 19, 1985

MEETING NO. 19
September 16, 1985

Item No. 5 Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, Flanigan's Plaza is currently under construction on the west side of Transit Road just south of Genesee Street, and

WHEREAS, such construction was conditioned on having Peter J. Schmitt Co., Inc. convey a 25-foot wide sewer easement along the west and north sides of the Flanigan's Plaza property to the Town, and

WHEREAS, such sanitary sewer will be constructed and designed to Town specifications and will permit a future extension by the Town to serve homes on Cloverleaf Drive, which currently utilize septic systems, and

WHEREAS, Peter J. Schmitt, Co., Inc. has executed an easement, as prepared by the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the sanitary sewer easement from Peter J. Schmitt Co., Inc., and BE IT FURTHER

RESOLVED that this Town Board hereby also accepts an easement from Silvio F. and Velia M. Scilingo for property located at 26 Cloverleaf Drive, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to record the above-referenced easements in the Erie County Clerk's Office.

Upon Roll Call....

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

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

WHEREAS, by resolution dated August 19, 1985, this Town Board awarded the contract for the repainting of the Recreation Center ice rink ceiling to T.J. Peterson General Construction Co. for the bid amount of \$8,582.00 and a contract for same was duly executed, and

WHEREAS, by letter dated August 29, 1985, T.J. Peterson General Construction Co. notified the Town that it could not perform the required work for the above referenced contract, and

WHEREAS, due to time constraints and the absolute necessity that the ceiling at the Recreation Center ice rink be painted this year, the General Foreman of the Facilities Department directed the second lowest bidder on the above referenced project, T & T Contracting Company, Inc., to perform the work for such project, and

WHEREAS, the General Foreman of the Facilities Department also notified T.J. Peterson General Construction Co. that the Town would declare it in breach of contract and hold it responsible for the difference between its bid price and the bid price of T & T Contracting Company, Inc., and

WHEREAS, this Town Board desires to ratify the aforementioned actions of the General Foreman of the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED that the actions of the General Foreman of the Facilities Department in notifying T.J. Peterson General Construction Co. of its breach of contract and in directing T & T Contracting Company, Inc. to perform the work for the painting of the ceiling at the Recreation Center ice rink for \$11,934.00 be and the same hereby is ratified and affirmed by this Town Board, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is authorized and directed to take any and all necessary action to recover the difference in costs between the contract prices of T.J. Peterson General Construction Co. and T & T Contracting Company, Inc., and BE IT FURTHER

Item No. 6 cont'd

RESOLVED that the Supervisor be and hereby is directed to execute the contract with T & T Contracting Company, Inc. for the painting of the Recreation Center ice rink ceiling.

Upon Roll Call....

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

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

WHEREAS, Cheektowaga Central School District will be celebrating the 25th anniversary of its High School during the week of September 22nd to September 28th, 1985, and

WHEREAS, during such anniversary week, Cheektowaga Central School district has scheduled many events, including homecoming games, a bonfire, a parade and dedication of the school's new signboard, and

WHEREAS, this Town Board desires to recognize the many accomplishments of the Cheektowaga Central School District in educating the youths of this Town and in preparing them for life in general during the past 25 years, NOW, THEREFORE, BE IT

PROCLAIMED, that the week of September 22nd to September 28th, 1985 shall be known as "CHEEKTOWAGA CENTRAL SCHOOL DISTRICT SPIRIT WEEK," and BE IT FURTHER

PROCLAIMED, that the Cheektowaga Town Board hereby wishes the Cheektowaga Central School District its best during this anniversary week and continued success and good luck in the future.

Upon Roll Call....

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

Item No. 8 Motion by Councilman Johnson, Seconded by Councilman W. Rogowski

WHEREAS, in 1978, eleven (11) Town-owned gas street light standards and heads were removed on Towers Boulevard and were replaced with electric street light standards, and

WHEREAS, such gas street light standards and heads were still owned by the Town and are of no further use to the Town, NOW, THEREFORE, BE IT

RESOLVED that the Town Facilities Department, Building Maintenance Division, be and hereby is authorized to sell these eleven (11) twelve-foot ornamental gas light standards with heads for \$40.00 each to any interested person, company or corporation.

Upon Roll Call....

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

Item No. 9a Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on vacant property North of 787 Borden Road, Cheektowaga, New York, (SBL #114.20-6-10) and according to

Item No. 9a cont'd

the Assessors' Office is owned by Walter Mysiak, , Cheektowaga, New York 14227, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 9b Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property known as 81 Evergreen Place, Cheektowaga, New York, (SBL #91.19-5-13) and according to the Assessors' Office is owned by Dominic S. Carino, Elma, New York 14059, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 9c Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located to the rear and side of 2313 Genesee Street, Cheektowaga, New York (SBL #101.28-2-10) and according to the Assessors' Office is owned by Glen D. Wagner, Cheektowaga, New York, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

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Item No. 9d Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located East of 122 Mayberry Drive West, Cheektowaga, New York, (SBL #125.05-1-3.1) and according to the Assessor's Office is owned by WNY Properties, Inc., c/o Marc Equity Corporation, 2730 Transit Road, West Seneca, New York 14224, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and removing the debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, the promotional position of Senior Clerk in the Assessor's Office was duly posted on August 29, 1985, and

WHEREAS, Kristine R. Young, Clerk-Typist in the Assessor's Office applied for such position, and

WHEREAS, Kristine R. Young appears on the eligible list resulting from the promotional civil service examination for Senior Clerk and was the only applicant from within the Assessor's Office to apply for the position of Senior Clerk, NOW, THEREFORE, BE IT

RESOLVED that Kristine R. Young of _____, Cheektowaga, New York be and hereby is appointed to the promotional position of Senior Clerk in the Assessor's Office, effective immediately, at a salary in accordance with the collective bargaining agreement between the Town and the Town Employees' Association.

Upon Roll Call....

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

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

WHEREAS, this Town Board previously appointed Kristine R. Young to the promotional position of Senior Clerk in the Assessor's Office, and

WHEREAS, Kristine R. Young has requested a leave of absence for six months from her position as Clerk-Typist in the Assessor's Office in order to take the promotional opportunity, NOW, THEREFORE, BE IT

RESOLVED that Kristine R. Young be and hereby is granted a leave of absence from her position of Clerk-Typist in the Assessor's Office for a period of six months from the date of this resolution.

Upon Roll Call....

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

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Motion by Councilman Kowal, Seconded by Councilman Gabryszak to dispense with the reading of names on Items 12a, 12b, 12c and 12d.

Upon Roll Call....

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

Item No.12a Motion by Councilman Kowal, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individual, hired as a Seasonal Employee in the Assessors' Office, be and hereby is terminated effective immediately:

Lisa Schiavone
Depew, New York 14043

Upon Roll Call....

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

Item No.12b Motion by Councilman W. P. Rogowski, seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as Seasonal Employees in the Facilities Department as listed below:

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

	<u>EFFECTIVE</u>
Stevens Simmons	immediately
James Kosobucki	9/7/85
Richard Floss	9/29/85
Raymond Felder	9/29/85
Felix Lampke	9/29/85
Robert Hinz	10/6/85
Robert Idziak	9/29/85
Robert Kneitingner	9/29/85
Timothy Shaw	9/29/85

BEACH & POOL - #7110-1623

Walter Gardon	9/25/85
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Upon Roll Call....

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

Item No.12c Motion by Councilman W. Rogowski, Seconded by Councilman Jaworowicz

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

Adapted Recreation Director 7310.1802

Bridget Herod

Clerks in the Administrative Intern Program 7310-1804

Janet Pawelczak
Kathryn Fincel

Item No. 12c cont'd

Trainee Supervisor 7310-1811

Russell Lis

Youth Leaders 7310-1812

Christopher Kowalewski
James Wiedemer
Mark Melber

Summer Trainees - 7310.1812

Michele Baker
James Zilliox
Stephen Zglinski
Christopher Witkowski
Joe Wieczorek
Elizabeth Wagner
Thomas Vero
Roger Tavares
Robert Stencilik
Raymond Sliwinski
Gerald Sienkiewicz
David Shields
Monica Balko
Kenneth Creola
John Chojnacki
Darlene Czajka
Shawn Dibble
Kelly Ejnik
William Fronczak
Jeremy Gawronski
Robert Greenwalt
Charles Geary Jr.
William Greentaner
Jeff Holtyn
Gregory Johnson
Kenneth Kaczanowski
Kevin Kaczorowski
Kevin Kindziewski
Michael Kennuth
Gerry Kubiak
David Lisiecki
Brian Melber
Timothy Nosbisch
Gregory Osswald
Pauline Przybylak
Robert Ring
David Rosten
David Skowronski
Daniel Sobkowiak
Bruce Stutz
Raymond Sliwinski
Thaddeus Szarzanowicz
Anthony Trzepakowski
Thomas Wnuk
Jeffrey Zachewicz
John Zelasko
Kenneth Ostempowski
Eric Guy
Todd Riniolo
James Forma
Timothy Disza
Matthew Hunneshagen
Dorene Skowron
Lawrence Siebert

Item No. 12c cont'd

Lisa Amadore
Marc Beebe
Shane Buczkowski
John Cummings
Gregory Czaja
Timothy Drobits
Colleen Fox
Gregory Langl
David Lukaszek
Jacqueline Lukowski
David Mack
Jennifer McManus
Richard Musielak, Jr.
Keith Nawotka
Tracy Ryan
Alan Schlosser
Steven Chalcraft
Barbara Drzymala
Jim Wieberg
Brian Krzywick
Gary Dudas
Steven Colovin
Joe Marsheimer
Diane Pogorzala

and BE IT FURTHER

RESOLVED that the below listed individual be terminated from the Cheektowaga Youth Bureau effective September 27, 1985:

Clerk in the Administrative Intern Program 7310-1804

Carol Lawida

and BE IT FURTHER

RESOLVED that with this vacancy, Beth Kuerzdoerfer of be hired as a Clerk in the Administrative Intern Program - 7310.1804 at a salary rate of \$3.35 per hour.

Upon Roll Call....

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

Item No. 12d Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals, hired as Seasonal Employees, be and hereby are terminated effective as follows:

SANITATION DEPARTMENT

	<u>EFFECTIVE:</u>
Bartkowiak, John Jr.	8/30/85
Kapron, Robert Jr.	9/6/85
Majka, Jerry	8/30/85
Marzak, David	8/23/85
Nash, Daniel A.	8/30/85
Szarpa, Timothy J.	9/10/85
Wdowik, Richard	9/3/85

CENTRAL GARAGE

Cartenuta, Mark	8/30/85
Charvat, James	8/30/85

Item No. 12d cont'd

MAIN PUMP STATION

Salvatore Iannello 9/21/85
Joseph Mazur 9/14/85

TAX OFFICE

Eleanor Yantomasi 9/13/85

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of \$3.10 per hour effective as follows:

Parks Division - #01-007110-1-0-1491-001

	<u>Effective</u>
David Lease	9/29/85
Raymond Bienik	9/29/85
Francis Keefe	9/29/85
Dale Matecki	9/28/85
Francis Strong	9/29/85
William Orr	9/17/85
Benjamin Henry Jr.	9/17/85
Mark Cartenuto	9/17/85
Kenneth Ostempowski	9/17/85
Paul Wojcinski	9/17/85

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

Leonard Glowacki	9/17/85
William Richards	9/22/85
Conrad Scharmach	9/29/85
Joseph Coffta, Sr.	9/17/85

Upon Roll Call....

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

Item No. 13b Motion by Councilman Kowal, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees at the Main Pump Station at a rate of \$3.75 per hour, effective September 16, 1985:

David Cavanaugh
John Johnson

Upon Roll Call....

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

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Item No. 13c Motion by Councilman Gabryszak, Seconded by Councilman Johnson

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

	<u>EFFECTIVE</u>
<u>SEWER MAINTENANCE DEPARTMENT - \$3.10 per hour</u>	
Timothy Wojdan	9/17/85
 <u>SANITATION DEPARTMENT - \$3.10 per hour</u>	
James Czajka	Immediately
John Szczepanik	Immediately
Thomas Larkin	Immediately
Patrick Keefe	Immediately
Bob Karalus	Immediately
 <u>TAX OFFICE - \$25.00 per day</u>	
Carol Malkiewicz	9/12/85 (retroactive)
Elizabeth M. Wichlacz	9/13/85
 <u>POLICE DEPARTMENT - \$3.10 per hour</u>	
Theresa Przybyl	Immediately
Elizabeth Chirico	Immediately

Upon Roll Call....

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

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

WHEREAS, the 152nd Engineer Battalion, the New York Army National Guard and the Buffalo Office of the Federal Bureau of Investigation have invited the Cheektowaga Police Department's Emergency Response Team to attend a three-day training exercise at Fort Drum in Watertown, New York on October 11th, 12th and 13th, 1985, and

WHEREAS, this exercise consists, in part, of weapons training, night training and live firing on an electronic range, and

WHEREAS, during such exercise, Cheektowaga police officers will participate in cross training with FBI, Amherst and Buffalo SWAT teams in a joint tactical exercise, and

WHEREAS, the Chief of Police has requested that members of the Cheektowaga Police Department's Emergency Response Team, as listed below, be authorized to attend this important exercise, and

WHEREAS, the Town will incur no cost for the attendance of its officers at such exercise except for transportation and meals, and

WHEREAS, this Town desires to have its police officers engage in the aforementioned training exercise in order to assist them in protecting the residents of the Town of Cheektowaga, NOW, THEREFORE, BE IT

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Item No. 14 cont'd

RESOLVED that the following named officers be and hereby are authorized to attend the aforementioned training exercise at Fort Drum on October 11th, 12th, and 13th, 1985:

Lt. Frederick Roll	Det. Floyd Lutowski
P.O. Henry Selbert	P.O. Thomas Wentland
P.O. Thomas Tomczak	P.O. Jerald Barber
P.O. Richard Kozell	P.O. Edward Brotz
P.O. William Ertel	P.O. Gerald Grant

and BE IT FURTHER

RESOLVED that such officers be authorized to use two of the Town's surplus vehicles for transportation to and from such exercise, and BE IT FURTHER

RESOLVED that such officers be reimbursed by the Town for any reasonable and necessary expenses incurred in attending said training exercise.

Upon Roll Call....

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

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

WHEREAS, the New York State Assessors' Association is conducting a conference on Assessment Administration in Ellenville, New York on September 29th thru October 2, 1985, and

WHEREAS, said conference is necessary for certification of the Assessor by the New York State Division of Equalization and Assessment, and

WHEREAS, expenses are not to exceed \$350.00 and reimbursement of part of the expenses will be made by the New York State Division of Equalization and Assessment, NOW, THEREFORE, BE IT

RESOLVED that Casimir A. Kozminski, Assessor, be and hereby is authorized to attend said conference on September 29th thru October 2, 1985, and BE IT FURTHER

RESOLVED that the registration fee and all other reasonable expenses, not to exceed \$350.00, incurred by Casimir A. Kozminski be paid by the Town.

Upon Roll Call....

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

Item No. 16 Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, Big Tree Farm Nurseries, Inc. has submitted application for payment in the amount of \$1,394.00 representing final payment for Tree Planting covered by the Contract Documents pertaining to Cheektowaga Town Park Improvements, Phase II, and

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

RESOLVED that the Cheektowaga Town Board hereby authorize final payment of \$1,394.00 to Big Tree Farm Nurseries, Inc., P.O. Box 490, Hamburg, New York 14075.

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Item No. 16 cont'd

Upon Roll Call....

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

Item No. 17 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to September 16th, 1985 are hereby approved and the Supervisor is ordered to pay said warrants:

FUND	AMOUNT
GENERAL FUND	\$100,184.87
SPECIAL DISTRICT FUND	326,737.81
HIGHWAY FUND	35,077.04
FEDERAL REVENUE SHARING FUND	6,273.28
CAPITAL FUND	4,187.00
TRUST AND AGENCY FUND	688.55
H.U.D. - C.D.B.G. FUND	18,367.94
PART TOWN FUND	1,101.50
	<u>492,617.99</u>

Upon Roll Call....

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

III. GENERAL COMMUNICATIONS

Item No. 18 Surrogate Court Citation re: Victor Reinstein Estate
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Council Office.
Received and Filed.

Item No. 19 SUMMONS & COMPLAINT - Jennifer Teresi, as parent of Amy Zerkowski vs
Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Jim Matecki, Facilities Director; Mike Miecznikowski,
Recreation Department; Joseph J. Naples, Insurance Company.
Received and Filed.

Item No. 20a NOTICE OF CLAIM - A. Boncore vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway
Department.
Received and Filed.

Item No. 20b NOTICE OF CLAIM - Valerie Schmarje vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,
Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting
Department; Joseph J. Naples, Insurance Company; E.T. Clauss &
Company, Insurance Company; Alfred Wnek, Highway Department.
Received and Filed.

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- Item No. 20c NOTICE OF CLAIM - Conrad & Beverly Napierala vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas Johnson, Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Department.
Received and Filed.
- Item No. 21a NOTICE OF PETITIONER - Garden Village Investors vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 21b NOTICE OF PETITIONER - 3660 Harlem Road Associates vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 22 NOTICE OF PETITION - Bernice Pfohl (Pfohl Enterprises & Pfohl Joint Venture vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 23 NOTICE & PETITION - Ellicott Drug Co. vs Town Assessor, Board of Assessment Review
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 24 NOTICE OF PETITION & VERIFIED PETITION - National Fuel Gas vs Town of Cheektowaga
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.
Received and Filed.
- Item No. 25 Letter from W. Gangloff wishing to speak
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Alfred Wnek, Highway Department; Council Office
Received and Filed.
- Item No. 26 Letter from C. Walas wishing to speak
Copies were sent to: Council Office.
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Supervisor Weber, Seconded by Councilman Jaworowicz to suspend the rules to include the following two (2) items.

Upon Roll Call....

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

MEETING NO. 19
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Item No. 27 Motion by Supervisor Weber, Seconded by Councilman Jaworowicz

WHEREAS, two of the Town's school crossing guards recently retired and another crossing guard left to accept a position elsewhere, and

WHEREAS, the Chief of Police has requested this Town Board to appoint three school crossing guards to fill such vacancies, and

WHEREAS, it is necessary that such vacancies be filled as soon as possible in order to ensure the safety of children going to and from school, NOW, THEREFORE, BE IT

RESOLVED that the following named individuals be and hereby are appointed as school crossing guards at the rate of \$4.50 per hour, effective immediately:

Elvina P. Ledwin

Cheektowaga, New York 14227

Katherine L. Schultz

Cheektowaga, New York 14225

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 28 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the paving of a parking lot and service roads at the Sewer Maintenance Garage, which bids were duly received and publicly opened on September 16 at a meeting called for that purpose, and

WHEREAS, there is need to act on the award in the shortest time possible in order to complete the work within the remainder of the paving period, and

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

WHEREAS, said Town Engineer has submitted the same which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract to pave the parking lot and service roads as per bid prices and as recommended by the Town Engineer, be and the same is hereby awarded to Amherst Paving, Inc., 310 Meyer Road, Buffalo, New York 14226, for their base bid price of \$25,928.00 and Alternate #1A price of \$2,040.00 said bid being the lowest meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that funds for said paving are to be transferred from the Sewer District #5 Remedial Account #508125.4543.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* See next page for letter.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.

TOWN ENGINEER

716-886-3448

716-886-3447

September 16, 1985

TO SUPERVISOR DANIEL WEBER AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid, Paving of
Parking Lot Service Road
at Sewer Maintenance Garage

Gentlemen:

At a public bid opening on September 16, 1985, bids were received and publicly opened for the paving of parking lot and service roads at the Sewer Maintenance Garage. Seven bids were received and are as follows:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALT. #1A</u>
Amherst Paving Inc.	\$25,928.00	\$2,040.00
Omer Construction Co.	\$26,915.00	\$2,051.00
J. Kelly Blacktop Inc.	\$27,900.00	\$1,700.00
Del Prince & Son	\$29,280.00	\$1,980.00
Tom Greenauer Development Inc.	\$30,464.00	\$3,450.00
G.B.H. Paving Company	\$40,250.00	\$3,697.00
Mandor Ogren & Son	\$41,488.00	\$5,220.00

It is, therefore, recommended that the bid be awarded to Amherst Paving Inc., 310 Meyer Road, Buffalo, New York 14226 for submitting the lowest bid in the amount of \$25,928.00 with Alternate #1A at \$2,040.00, said bid meeting all the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Henry Borkowski

Henry Borkowski
Engineering Aide

AB:dms

MEETING NO. 19
September 16, 1985

Item No. 29 Motion by Councilman Kowal, Seconded by Councilman Gabryszak
to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk