

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 7th day of April, 1986 at 7:00 o'clock P.M., Eastern Standard Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester Bryan, Town Engineer; Ernest Holfoth, Risk Management Consultant; James Kirisits, Town Attorney; John Kotz; Casey Kozminski, Assessor; Sal LaGreca, Employment and Training Director II; Ron Marten, Building Inspector; Michael Miecznikowski, Recreation Director; Ray Pugh, Planning Board Member; Leonard J. Smolarek, Chief of Police; and Fred Wnek, Highway Superintendent.

I. RESOLUTIONS

Item No. 2A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Timothy T. Mroz has made application and requested the rezoning of property located at 1 Cayuga Creek Road from R-Residential to RA-Apartment District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 21, 1986 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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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 21st day of April, 1986 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Timothy T. Mroz to Rezone from R-Residential District to RA-Apartment District on property located at 1 Cayuga Creek 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 OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

RICHARD M. MOLESKI  
TOWN CLERK

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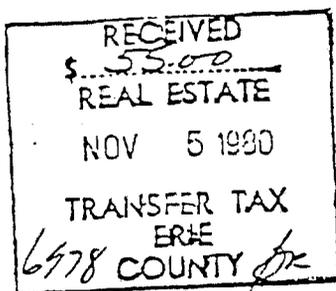
\*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION.

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, in the County of Erie and State of New York, being part of Lot Number Seventy-nine (79) of the Buffalo Creek Indian Reservation, so-called, according to James Sperry's survey thereof, bounded and described as follows:-

COMMENCING at a point in the center line of Cayuga Creek Road, sometimes known as Cayuga Road, distant eleven hundred and twenty-nine and thirty-four one hundredths (1129.34) feet northeasterly from the center line of Clinton Street, measured along said center line of Cayuga Creek Road; [running thence easterly along said center line of Cayuga Creek Road,] one hundred and fifty (150) feet; thence southerly, at right angles with said center line of Cayuga Creek Road, for the distance of three hundred and ninety and two-tenths (390.2) feet; thence northwesterly, on a line drawn at an angle of forty-five degrees, thirty-six minutes and thirty seconds ( $45^{\circ}36'30''$ ) for the distance of two hundred and nine and eighth-tenths (209.8) feet, to a point where said line intersects a line drawn at right angles with the center line of Cayuga Creek Road; thence northerly, on a line drawn at right angles with the center line of Cayuga Creek Road for the distance of two hundred and forty-three and six-tenths (243.6) feet to the center line of Cayuga Creek Road, at the point or place of beginning, containing one and eighty-seven one-thousandths (1.087) acres of land, be the same more or less.

ALSO, 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 Seventy-nine (79) of the Buffalo Creek Indian Reservation, more particularly described as follows:-

COMMENCING at a point in the center line of Cayuga Creek Road, sometimes known as Cayuga Road, at its intersection with the northerly line of premises now owned by the grantor herein, which point is twelve hundred seventy-nine and thirty-four hundredths (1279.34) feet northerly along the center line of Cayuga Creek Road from its intersection with the center line of Clinton Street; running thence at a ninety (90) degree angle, southeasterly along the northerly line of the grantor's land, three hundred ninety and two-tenths (390.2) feet; thence easterly at an angle of  $134^{\circ}23'30''$  twenty-nine and eight-tenths (29.8) feet; thence northwesterly to a point in the center line of Cayuga Creek Road, forty (40) feet northeasterly from the point of beginning; thence southwesterly along the said center line of Cayuga Creek Road, forty (40) feet to the point or place of beginning.



LIBER (380) PAGE 39

MEETING NO. 7  
April 7, 1986

Item No. 2A Cont'd.

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 AFFIDAVIT OF PUBLICATION.

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

*Linda G. Pios*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication *april 10, 1986* ..... ;  
last publication *april 10, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pios*

Sworn to before me this ..... *11* th

day of *April* ....., 19*86*.

*Elizabeth M. Murszewski*

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

ELIZABETH M. MURSZEWSKI  
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 21st day of April, 1986 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Timothy T. Mroz to Rezone from R-Residential District to RA-Apartment District on property located at 1 Cayuga Creek 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, in the County of Erie and State of New York, being part of Lot Number Seventy-nine (79) of the Buffalo Creek Indian Reservation, so-called, according to James Sperry's survey thereof, bounded and described as follows:

**COMMENCING** at a point in the center line of Cayuga Creek Road, sometimes known as Cayuga Road, distant eleven hundred and twenty-nine and thirty-four one hundredths (1129.34) feet northeasterly from the center line of Clinton Street, measured along said center line of Cayuga Creek Road; running thence easterly along said center line of Cayuga Creek Road, one hundred and fifty (150) feet; thence southerly, at right angles with said center line of Cayuga Creek Road, for the distance of three hundred and ninety and two-tenths (390.2) feet, thence northwesterly, on a line drawn at an angle of forty-five degrees, thirty-six minutes and thirty seconds ( $45^{\circ}36'30''$ ) for the distance of two hundred and nine and eighth-tenths (209.8) feet, to a point where said line intersects a line drawn at right angles with the center line of Cayuga Creek Road; thence northerly, on a line drawn at right angles with the center line of Cayuga Creek Road for the distance of two hundred and forty-three and six-tenths (243.6) feet to the center line of Cayuga Creek Road, at the point or place of beginning, containing one and eighty-seven one-thousandths (1.087) acres of land, be the same more or less.

**ALSO, 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 Seventy-nine (79) of the Buffalo Creek Indian Reservation,

**COMMENCING** at a point in the center line of Cayuga Creek Road, sometimes known as Cayuga Road, at its intersection with the northerly line of premises now owned by the grantor herein, which point is twelve hundred seventy-nine and thirty-four hundredths (1279.34) feet northerly along the center line of Cayuga Creek Road from its intersection with the center line of Clinton Street; running thence at a ninety (90) degree angle, southeasterly along the northerly line of the grantor's land, three hundred ninety and two-tenths (390.2) feet; thence easterly at an angle of  $134^{\circ}23'30''$  twenty-nine and eighth-tenths (29.8) feet; thence northwesterly to a point in the center line of Cayuga Creek Road, forty (40) feet northeasterly from the point of beginning; thence southwesterly along the said center line of Cayuga Creek Road, forty (40) feet to the point or place 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: April 10, 1986**

MEETING NO. 7  
April 7, 1986

Item No. 2B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, William F. Burke has made application and requested a Special Use Permit for automobile repair and towing service on property located at 468 Kennedy Road, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 21, 1986 at 6:30 o'clock P.M., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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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 21st day of April, 1986 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of William F. Burke for a Special Permit to use property for automobile repair and towing service on property located at 468 Kennedy Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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

RICHARD M. MOLESKI  
TOWN CLERK

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\*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION.

ALL that certain lot, piece or parcel of land, situate, lying and being in the Town  
of Cheektowaga County of Erie and State of New York,  
bounded and described as follows: being part of Lot No. 23, Township 11, Range 7  
of the Holland Land Company's Survey, and further distinguished as  
Subdivision Lots Nos. 64 and 65 as shown on Map filed in Erie County  
Clerk's Office under Cover No. 342, being 60 feet front and rear by  
116.50 feet in depth, west side of Kennedy Street, south of Broadway.

MEETING NO. 7  
April 7, 1986

Item No. 2B Cont'd.

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 AFFIDAVIT OF PUBLICATION.

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

*Linda M. Gass*....., of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *clerk* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... 1 ..... weeks;  
first publication ..... *April 10, 1986* ..... ;  
last publication ..... *April 10, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Gass*.....  
Sworn to before me this ..... *11* ..... *th* .....  
day of ..... *April* ..... , 19..... *86*  
*Elizabeth M. Murszewski*  
Notary public in and for Erie County, N. Y.

ELIZABETH M. MURSZEWSKI  
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 certain lot, piece or parcel of land, situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, bounded and described as follows: being part of Lot No. 23, Township 11, Range 7 of the Holland Land Company's Survey, and further distinguished as Subdivision Lots Nos. 64 and 65 as shown on Map filed in Erie County Clerk's Office under Cover No. 342, being 60 feet front and rear by 118.50 feet in depth, west side of Kennedy

Street, south of Broadway.

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

Councillmen:

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: April 10, 1986**

MEETING NO. 7  
April 7, 1986

Item No. 2C Motion by Councilman W. Rogowski Seconded by Supervisor Weber

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., have applied for a rezoning from M-1 Light Manufacturing District to CM-General Commercial District and for a special use permit for a mobile home park on vacant property located at 320 (Old) Losson Road between Stiglmeier Park and the terminus of Old Losson Road, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding such requests under the provisions of the Town Zoning Ordinance on April 21, 1986 at 6:30 o'clock P.M., Eastern Standard Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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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 21st day of April, 1986 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Henry M. & Arlene Fronckowiak (Parkside Village, Inc.) to Rezone from M1-Light Manufacturing District to CM-General Commercial District on property located at 320 Losson Road Easterly to New Losson 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 OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY,  
NEW YORK.

RICHARD M. MOLESKI  
TOWN CLERK

\*\*\*\*\*

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 21st day of April, 1986 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Henry M. & Arlene Fronckowiak (Parkside Village, Inc.) for a Special Permit to operate a Mobile Home Park on property located at 320 Losson Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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

RICHARD M. MOLESKI  
TOWN CLERK

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\*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION.

LEGAL DESCRIPTION OF PROPERTY --

All that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:-

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+67.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of  $119^{\circ} 30' 04''$ , two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point; continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) feet to the point of beginning.

MEETING NO. 7  
April 7, 1986

Item No. 2C Cont'd.

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 AFFIDAVIT OF PUBLICATION.

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

*Linda G. Pros*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks;  
first publication *april 10, 1986* ..... ;  
last publication *april 10, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pros*

Sworn to before me this .....11.....th  
day of *April*....., 19*86*

*Elizabeth M. Murszewski*

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

ELIZABETH M. MURSZEWSKI  
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 21st day of April, 1966 at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Henry M. & Arlene Fronckowiak (Parkside Village, Inc.) for a Special Permit to Mobile Home Park on property located at 320 Losson Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+87.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of  $119^{\circ} 30' 04''$ , two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point, continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) 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: April 10, 1966

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

*Linda G. Pross*....., 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 .....<sup>1</sup>..... weeks:  
first publication.....*april 10, 1986*..... ;  
last publication.....*april 10, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pross*.....

Sworn to before me this .....*11*.....<sup>th</sup>.....

day of .....*April*....., 19.....*86*.....

*Elizabeth M. Murszewski*.....

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

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

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ALL that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+67.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of 119° 30' 04", two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point; continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) 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: April 10, 1986

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

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Topsoil for the 1986-7 season (regular, shredded and screened).

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

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid item at 11:00 A.M. on April 21, 1986.

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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at a public bid opening April 21st, 1986 at 11:00 A.M. Eastern Standard Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

TOPSOIL.....REGULAR, SHREDDED AND SCREENED

Note: Minimum 600 yds. per season.

Price quoted per yd. based on pickup by Town Highway Trucks within a 15 mile distance.

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

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

\_\_\_\_\_  
RICHARD M. MOLESKI  
Town Clerk

Dated: April 7, 1986

Published: April 10, 1986

\*\*\*\*\*

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 AFFIDAVIT OF PUBLICATION.

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

*Linda G. Hus*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....1..... weeks;  
first publication.....*April 10, 1986*.....;  
last publication.....*April 10, 1986*.....;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Hus*

Sworn to before me this .....*11*.....th

day of .....*April*....., 19...*86*

*Elizabeth M. Murszewski*

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

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

**LEGAL NOTICE  
TO BIDDERS**

**NOTICE IS HEREBY GIVEN**, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at a public bid opening April 21st, 1986 at 11 A.M. Eastern Standard Time, to be held in the Council Chambers at the Cheektowaga Town Hall.

**TOPSOIL ..... REGULAR,  
SHREDDED AND SCREENED**

Note: Minimum 600 yds. per season.

Price quoted per yd. based on pickup by Town Highway Trucks within a 15 mile distance.

**INFORMATION FOR BIDDERS AND SPECIFICATIONS MAY BE OBTAINED FROM THE OFFICE OF ALFRED F. WNEK, SUPT. OF HIGHWAYS AT HIS OFFICE LOCATED AT 3145 UNION RD., CHEEKTOWAGA, NY. PROPOSALS MUST BE ENCLOSED AND SEALED IN AN OPAQUE ENVELOPE PLAINLY MARKED "SEASONAL BID FOR TOPSOIL FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."**

**NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID. THE SUPT. OF HIGHWAYS MAY REJECT ANY OR ALL BIDS SUBMITTED.**

**RICHARD MOLESKI**

**Town Clerk**

**PUBLISH: April 10, 1986**

MEETING NO. 7  
April 7, 1986

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

WHEREAS, by resolution dated March 3, 1986, this Town Board authorized the advertisement for bids for the construction of an addition to the Town Highway Garage, and

WHEREAS, bids for the construction of said addition to the Town Highway Garage were received and opened on March 24, 1986, and

WHEREAS, such bids were reviewed, analyzed and tabulated by the Town Highway Superintendent, Town Engineer and the architect hired by the Town to prepare the specifications for such construction, and

WHEREAS, such Town representatives have recommended that the Town include the deduction for Alternate 1 (No Slab) in any bid award it makes, and

WHEREAS, it has been recommended by the aforementioned Town representatives that the lowest responsible bidder for the construction of the addition to the Town Highway Garage, including Alternate 1, is Omer Construction Co., Inc., 621 Aero Drive, Cheektowaga, New York 14221, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of the addition to the Town Highway Garage, including Alternate 1 (No Slab), be awarded to Omer Construction Co., Inc., the lowest responsible bidder, at a total bid price of \$270,000.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 4B Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, bids were duly received by this Town Board at a public bid opening for the purchase of new trees for spring planting by the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Schichtel Nursery, 6745 Chestnut Ridge Road, Orchard Park, New York 14127; said bidder being the sole and lowest responsible bidder meeting specifications as set forth in the tabulation attached hereto and made a part hereof.

\*SEE NEXT TWO (2) PAGES FOR TABULATION.



6745 CHESTNUT RIDGE ROAD • ORCHARD PARK, NY 14127  
(716) 662-9896

March 14, 1986

ALTERNATE SHEET

<u>Quantity</u>	<u>Variety</u>	<u>Size</u>	<u>Unit Price</u>
up to 200	Acer plat. Crimson King (Crimson King Maple) Norway Maple type Crimson leaf all summer	1½" B.R.	26.50
up to 100	Acer plat. Schwedleri (Schwedler Maple) Norway Maple type - brown foliage Spring/ dark green Summer	1½" B.R.	26.50
up to 200	Fraxinus Marshall Seedless (Marshall Seedless Ash) Green Ash type - does well in heavy soils	1½" B.R.	14.50
up to 100	Fraxinus Autumn Purple (Autumn Purple Ash) White Ash type - green foliage Summer/ purple in Fall	1½" B.R.	34.00
up to 50	Gleditsia tri. inermis Skyline (Skyline Honeylocust) Fine textured foliage provides moderate shade, allowing turf development and minimum amount of leaf pick up in Fall	1½" B.R.	26.50
up to 200	Tilia Redmondi (Redmond Linden) An upright Linden with leaves larger than the European Little Leaf Linden	1½" B.R.	14.50
up to 50	Malus Radiant (Radiant Crab) Red flowering crabapple	1" B.R.	13.50

George V. Schichtel - Owner

SPECIFICATIONS AND BID SHEET FOR NEW TREES  
TOWN OF CHEEKTOWAGA, NEW YORK 14227

1. Height of tree shall be measured from the ground level to the top of the tree.
2. Calipur of the tree shall be measured at a point 10" to 12" above ground level.
3. All trees must be branched.
4. F.O.B., 3145 Union Rd., Cheektowaga, New York 14227
5. ALL TREES SHALL BE SUPPLIED TO THE CHEEKTOWAGA HIGHWAY DEPARTMENT COMMENCING ON April 7, 1986 AND NOT LATER THAN April 25, 1986.

TYPE OF TREE	HEIGHT AND CALIPUR	UNIT BID PRICE
1. NORWAY MAPLE (platanoides)	8'-10' / 1½"- 1½" dia.	See Alternate List
2. LITTLELEAF LINDEN MAPLE (tilia cordata)	6-8' Branched <del>8'-10'</del> / 1½"- 1½" dia. (100 only)	22.00
3. BRADFORD PEAR (pyrus calleryana Bradford)	6'-8' / 1½"- 1½" dia. (tree form)	See Alternate List
4. PYRAMIDAL EUROPEAN HORNBEAM (carpinus betulus fastigiata)	8'-10' / 1½"- 1½" dia.	See Alternate List
5. REDSPIRE <del>BRADSTOCK</del> (pear)	8'-10' <del>XXXXXX</del> / 1½"- 1½" dia. (100 only)	26.50

NAME OF COMPANY SCHICHEL'S NURSERY

ADDRESS 6745 Chestnut Ridge Rd.  
Orchard Park, NY 14127

TELEPHONE NO. (716) 662-9896

AUTHORIZED SIGNATURE OF OWNER OR AGENT  
*Roger Schichel* OWNER

DATED March 14, 1986

MEETING NO. 7  
April 7, 1986

Item No. 4B 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. 5 Motion by Councilman Kowal Seconded by Councilman Gabryszak

BE IT RESOLVED that Francis P. State, , Cheektowaga,  
New York 14225 be re-appointed to the Cheektowaga Board of Assessment Review for a  
five (5) year term, effective April 12, 1986 and expiring on April 12, 1991.

Upon Roll Call.....

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

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

WHEREAS, the permanent position of Clerk-Typist (Day Shift) in the  
Justice Court was duly posted on March 12, 1986, and

WHEREAS, no Town employee bid on such job opening, and

WHEREAS, eligibles on the current civil service list for Clerk-Typist  
were duly canvassed and interviewed, and

WHEREAS, Cheryl Wasielewski of , Cheektowaga,  
New York appeared on such eligible list and has expressed her interest in such posi-  
tion, and

WHEREAS, the Town Justices have recommended that Cheryl Wasielewski  
be appointed to the position of Clerk-Typist (Day Shift) in the Justice Court, NOW,  
THEREFORE, BE IT

RESOLVED that Cheryl Wasielewski of , Cheek-  
towaga New York 14225 be and hereby is appointed to the position of Clerk-Typist  
(Day Shift) in the Justice Department, effective immediately, at a salary in accor-  
dance with the collective bargaining agreement between the Town of Cheektowaga and  
the Town of Cheektowaga Employees Association.

Upon Roll Call.....

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

Item No. 6B Motion by Councilman Kowal Seconded by Councilman W. Rogowski

WHEREAS, the permanent position of Clerk-Typist in the  
Accounting/Payroll Department was duly posted on March 12, 1986, and

WHEREAS, no Town employee bid on such job opening, and

WHEREAS, eligibles on the current civil service list for Clerk-Typist  
were duly canvassed and interviewed, and

WHEREAS, Teresa M. Golas of , Cheektowaga, New York  
appeared on such eligible list and has expressed her interest in said position, and

WHEREAS, the Supervising Accountant has recommended that Teresa M.  
Golas be appointed to the position of Clerk-Typist in the Accounting/Payroll  
Department, NOW, THEREFORE, BE IT

RESOLVED that Teresa M. Golas of Cheektowaga, New  
York 14227 be and hereby is appointed to the position of Clerk-Typist in the

MEETING NO. 7  
April 7, 1986

Item No. 6B Cont'd.

Accounting/Payroll Department, effective April 21, 1986, at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 7 Create promotional position of Senior Clerk in Justice Court.  
This item was withdrawn.

Item No. 8 Motion by Councilman W. 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:

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

	<u>Effective</u>
Paul Glab	4/27/86
Timothy Szarpa	4/22/86

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 W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that Lawrence Maguda, Music Director in the Youth Bureau's Adpated Recreation Program (7310.1803) be terminated effective March 8, 1986, and

BE IT FURTHER RESOLVED that Andrea Zieger, presently in the position of Counselor be elevated to the position of Recreation Supervisor (Music Director) being vacated by the resignation of Lawrence Maguda, at a salary rate of \$5.00 per hour, retroactive to March 18, 1986.

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 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 \$3.35 per hour as follows:

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

	<u>EFFECTIVE</u>
Fred Kaplan	immediately
Norman Anderson	"
Paul J. Jelonek	"
Donald Havernick	"
Brian Anderson	"
John V. Stefaniak	"
David Stewart	"
Raymond Felder	"
David Lease	retroactive to 3/21/86
Earl Scherer	"
William Rogowski	immediately
Joseph Lenartowicz	4/07/86
Lawrence Williams	4/14/86

MEETING NO. 7  
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Item No. 10A Cont'd.

Richard McCracken	immediately
Dale Brewer	"
Mark Dauer	"
Ralph Morris	"
Mark Sopczyk	"
Joseph S. Aradio	"

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

Stephen Dunkowski	4/12/86
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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. 10B Motion by Councilman Johnson Seconded by Councilman Gabryszak

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>SEWER MAINTENANCE DEPARTMENT - \$3.35 per hour</u>	
Jeff Mrugalski	immediately
Robert Fissler	"
Floyd Zgoda	"
John Pollina	"
Raymond Nowak	"

MAIN PUMP STATION - \$3.35 per hour

Chester Kensy	"
Victor Podyma	"
Joseph Mazur	3/10/86 (retroactive)

CENTRAL GARAGE - \$3.35 per hour

Kevin Powell	4/21/86
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SANITATION DEPARTMENT - \$3.10 per hour

James Czajka	4/07/86
Fred Mueller	4/07/86
John Tourjie	4/07/86
Patrick Keefe	3/17/86
Richard Somogye	4/07/86

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 Gabryszak

BE IT RESOLVED that Michael J. Miecznikowski, Director of Recreation, be and hereby is authorized to attend the New York State Recreation and Parks Society Conference to be held in Kerhonkson, New York from May 4 - May 7, 1986, AND, BE IT

FURTHER RESOLVED that a Town vehicle be made available for use as transportation to and from the conference, AND, BE IT

FURTHER RESOLVED that Michael J. Miecznikowski be reimbursed for all reasonable expenses of said trip.

MEETING NO. 7  
April 7, 1986

Item No. 11A 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. 11B Permission for two employees of Town Clerk's Office to attend seminar.

This item was withdrawn.

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

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

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

WHEREAS, this Town Board desires to license such drivers/attendants, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the EMS Board concerning the licensing of drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHER

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

\*SEE NEXT PAGE FOR LIST OF DRIVERS/ATTENDANTS.

## DRIVER/ATTENDANT LICENSES

<u>NAME</u>	<u>ADDRESS</u>	<u>EMT CARD EXPIRES</u>	<u>AMBULANCE EMPLOYER</u>
John D. Hansgate	W. Sen, NY 14224	5/31/88	Gold
Susan Gail Oliver	, W. Seneca, NY 14224	5/31/86	Gold
Robert B. Kerner	227 Clement Hall, SUNYAB, Bflo, NY 14214	5/31/88	Gold
David Katz	SUNY Amh. Campus, Box A1052, Bflo, NY 14261	12/31/87	Gold
Kent C. Swartz	Chktg., NY 14225	12/31/87	Towns
Duane Probst	, Snyder, NY 14226	5/31/88	Towns
Alvin P. Donius	Wmevl., NY 14221	12/31/87	Towns
Linda L. Honey	, Tana., NY 14150	5/31/87	Towns
William F. Grost	Lanc., NY 14086	5/31/88	Towns
Daniel E. McCoy	Chktg., NY 14225	12/31/87	Towns
Ronald J. Smeller, Jr.	Amherst, NY 14226	5/31/88	Towns
Louis J. Flury	W. Seneca, NY 14224	5/31/88	Towns
Robert A. Kraus	, Lanc., NY 14086	5/31/87	Towns
Charles Zawistowski	Elma, NY 14059	5/31/87	Towns
Joseph Brian Pfeiffer	Akron NY 14001	5/31/88	Towns
John A. Robertson	Tona., NY 14223	5/31/88	Gold
Barbara Carson	Bflo., NY 14213	12/31/86	Gold
Dean A. Ciccarella	Niagara Falls, NY 14304	12/31/88	Gold
Douglas E. Milks	Angola, NY 14006	12/31/88	Towns
Diane Michele Monczyk	W. Seneca, NY 14224	12/31/88	Gold
Baudilio R. Rodriguez, Jr.	Bflo, NY 14201	12/31/88	Gold
Michael A. Wolff	Bflo, NY 14213	12/31/87	Gold
John A. Scaduto, Jr.	, Bflo, 14206	12/31/87	Towns
Garry C. Stelmach	Lakeview	5/31/87	Gold
Timothy J. McLaughlin	Bflo 14215	5/31/86	Towns
Jeffrey P. Ziomek	N. Ton., NY	12/31/88	Gold
Leo Thomas Karr II	Elma 14059	5/31/86	Towns
Michael J. Graczyk	, Cheek 14225	12/31/88	Towns
Dawn Herlan		12/31/88	Gold
Martin W. Crawford	Bflo 14222	5/31/87	Gold
Abigail Tuckes Harning	, Eggertsville	5/31/88	Towns

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April 7, 1986

Item No. 12A 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. 12B Motion by Councilman Johnson Seconded by Councilman Gabryszak

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

WHEREAS, the EMS Board has completed a review and evaluation of the various license renewal applications submitted for drivers/attendants, and has recommended that the Town Board renew such licenses, and

WHEREAS, this Town Board desires to renew such drivers/attendants licenses, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the EMS Board concerning the renewal of licenses for drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the renewal applications for drivers/attendants set forth on the annexed schedule be and hereby are approved for a period to expire upon the expiration of such drivers'/attendants' Emergency Medical Technician ("EMT") card, and BE IT FURTHER

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

\*SEE NEXT PAGE FOR LIST OF DRIVERS/ATTENDANTS.

DRIVER/ATTENDANT LICENSES (RENEWALS)

<u>NAME</u>	<u>ADDRESS</u>	<u>EMT CARD EXPIRES</u>	<u>AMBULANCE EMPLOYER</u>
Roger F. Badgley	, Wmsvl., NY 14221	5/31/87	Towns
Michael J. Baumgartner	Tona., NY 14150	5/31/87	Gold
Joanne M. Chojnacki	Wmsvl., NY 14221	11/30/85	Gold
Martin W. Crawford	Kenmore, NY 14223	5/31/87	Gold
Neil C. Cummings	Chktg., NY 14225	12/31/87	Towns
Marybeth Dettelis	, Bflo., NY 14206	12/31/88	Gold
Robert DiChristina	G. Island, NY 14072	5/31/86	Towns
Erin D. Forbach	Snyder, NY 14226	5/31/87	Towns
Kathryn M. Ford	Chktg., NY 14227	12/31/86	Gold
William R. Frieder	, Bflo., NY 14214	12/31/88	Towns
Jeffrey J. Garringer	, Bflo., NY 14220	5/31/86	Gold
Joseph M. Gonter	, Bflo., NY 14213	3/31/87	Towns
Paul David Gorman	G. Island, NY 14072	5/31/87	Towns
Timothy S. Heusinger	W. Seneca, NY 14224		Towns
Paul Hockwater	Chktg., NY 14227	12/31/87	Towns
Lawrence J. Luh	Chktg., NY 14227	12/31/88	Towns
Paul Makowski	, Bflo., NY 14210	12/31/86	Gold
James S. Martinez	, Bflo., NY 14213	3/31/87	Gold
John J. Martinez	, Kenmore, NY 14217	3/31/87	Gold
Vickie L. Martinez	Bflo., NY 14213	3/31/87	Gold
Michael A. Mazurowski	Chktg., NY 14227	12/31/86	Towns
Daniel P. McCartan	W. Seneca, NY 14224	12/31/86	Towns
John Mercer	, Amh., NY 14226	3/31/87	Towns
Steven L. Morgan	G. Island, NY 14072	3/31/88	Towns
Joseph Oddo	Bflo., NY 14215	12/31/88	Towns
Kevin C. Pieczynski	Bflo., NY 14206	5/31/87	Gold
Jeffrey W. Place	Chktg., NY 14225	3/31/87	Towns
James M. Quigley	Amherst, NY 14226	12/31/86	Towns
Michael T. Rumschik	Bflo., NY 14223	3/31/88	Gold
Joanne G. Skrzypkowiak	W. Seneca, NY 14224	5/31/88	Gold
Robert D. Stachowski, Jr.	Amherst, NY 14226	5/31/87	Towns
Michael J. Swanekamp	Bflo., NY 14210	3/31/87	Towns
Abigail Tucker	Tona., NY 14150	12/31/86	Gold
William J. VanSlyke	, Apt. #1, No. Tona., NY 14120	5/31/87	Gold
Edward W. Voigt, Jr.	, Chktg., NY 14211	5/31/88	Towns
Gordon Welfare	, No. Tona., NY 14120	12/31/86	Gold
John R. Zarenek	, Bflo., NY 14215	5/31/87	Gold

Item No. 12B 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. 13 Motion by Councilman W. Rogowski Seconded by Councilman Johnson

WHEREAS, the Town presently has a claim against James J. Macken, and

WHEREAS, Mr. Macken has offered the Town the sum of \$250.00 as full settlement of such claim, and

WHEREAS, the General Foreman of the Facilities Department has recommended that the Town accept this offer, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby accepts the sum of \$250.00 as full settlement of its claim against James J. Macken.

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 Supervisor Weber Seconded by Councilman J. Rogowski

WHEREAS, the New York State Commission on Cable Television has proposed to adopt certain regulations regarding "Minimum Standards for the Designation and Use of Channel Capacity for Public, Educational and Governmental Access" on cable television systems franchised by municipal governments (CCT Docket No. 90174-A-2, proposed December 19, 1985), and

WHEREAS, said proposed Public, Educational and Governmental ("PEG") access rules would be preemptive of municipal authority over cable television services and would cause significant interference with the objectives of local program development and local usage of cable television facilities, and would impede local decisionmaking regarding the use of scarce television channel capacity, and

WHEREAS, the Town of Cheektowaga has granted a franchise for the operation of a cable television system on our streets for service to our residents, and this Town Board continues to maintain concern regarding the use and operation of said cable television service, and

WHEREAS, this Town Board has given due consideration to the specific provisions of the State Cable Commission's proposed PEG Access rules, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby expresses its opposition to the proposed PEG Access rules for the following reasons:

1. The proposed rules would be harmful to the relationship which exists between cable television operators and local government officials, and with local cable television subscribers;

2. The proposed rules would remove cable television channels and facilities from other uses considered more preferable to local governments and subscribers;

3. The proposed rules would remove flexibility, decisionmaking and control regarding cable television channel usage from all local entities (including subscribers, local municipal officials and the local cable television system management), and place such control with the State's Commission on Cable Television;

4. The proposed rules would create a dedication of local cable television channel capacity and facilities to non-local public, educational and governmental users, and would fail to define or clarify the nature or qualifications of such users;

5. The proposed rules would create for municipal governments which have granted cable television franchises, new and unlimited legal liabilities

MEETING NO. 7  
April 7, 1986

Item No. 14 Cont'd.

arising from uncontrolled PEG Access programming and cable television channel usage, but said rules would not permit municipalities to take any effective actions to protect themselves from such liability or to control the circumstances under which such liability will arise;

6. The proposed rules would allow the State government, and even the Commission on Cable Television itself, to appropriate for its own use scarce channel capacity on local cable television systems;

7. The proposed rules would fail to restrict the use of free public, educational or governmental access channel capacity to non-commercial, non-political or non-religious program distribution;

8. The proposed rules would fail to allow the use of up to three channels on the basic service offering of local cable television systems for distribution of programming and services desired by local subscribers or municipal officials, even if such channels were not effectively used for PEG Access purposes;

9. The proposed rules would reduce the amount and quality of cable television services offered to local subscribers, and would increase the operating costs of local cable television systems and eventually the prices paid for cable services by subscribers; and

10. The proposed rules were promulgated and would be adopted without any effective or appropriate contribution from or consultation with municipal government officials.

and, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the New York State Commission on Cable Television, Corning Tower Building, Empire State Plaza, Albany, New York 12223; and to Ms. Nan Hanna, Executive Director of the New York State Supervisors' and County Legislators' Association at 150 State Street, Albany, New York 12207.

Upon Roll Call....

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

Item No. 15A Motion by Councilman Johnson Seconded by Supervisor Weber

WHEREAS, the New York State Fire Prevention and Building Code became effective across New York State on January 1, 1984, and

WHEREAS, the State Code would have superceded the Town's Housing Code if this Town Board did not petition the State to keep its own code, and

WHEREAS, by resolution dated January 6, 1984, this Town Board petitioned the New York State Fire Prevention and Building Code Council ("Code Council") to retain our Housing Code, which we felt was more stringent than the State Code, and

WHEREAS, the Code Council has reviewed the Town's Housing Code and has made a determination that most of the sections of the Town Housing Code are more stringent than the State Code and thus may be retained by the Town, and

WHEREAS, the Town Housing Inspector is agreeable with the findings of the Code Council, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforesaid findings of the Code Council, and BE IT FURTHER

RESOLVED that the following sections of the Housing Code shall be amended to read as follows, in accordance with the findings of the Code Council:

\*SEE NEXT PAGE FOR AMENDMENTS TO HOUSING CODE.

**SECTIONS OF CHAPTER 37 OF THE CODE OF THE TOWN OF CHEEKTOWAGA  
(HOUSING STANDARDS CODE") TO BE REVISED**

Section 37-17 shall be amended to read as follows:

**Section 37-17. Elevators and Escalators.**

- A. Elevators, dumbwaiters and escalators shall be maintained to safely sustain the loads to which they are subject, to operate properly and to be free of physical and fire hazards.
- B. Hoistways and pits shall be maintained free of rubbish or other debris.
- C. Machine rooms shall be maintained free of oil and grease, including oily and greasy cloths, rags and other such materials, and shall not be used for storage of articles or materials unnecessary for the maintenance of the elevator or dumbwaiter. Flammable liquids shall not be kept in such rooms.
- D. Safety devices and electrical protective devices shall be operative at all times, except during tests, inspections or repairs.

Section 37-32E.(1) shall be amended to read as follows:

**Section 37-32E.(1)** Liquefied petroleum gas in liquid form shall be stored in accordance with generally accepted standards.

Section 37-32E.(2) shall be amended to read as follows:

**Section 37-32E.(2)** Liquefied petroleum gas shall be vaporized only as permitted by generally accepted standards.

Section 37-35F. shall be amended to read as follows:

**Section 37-35F. Fuel Supply Connection.** Fuel supply connection to heat producing equipment shall be made with pipe or tubing of solid metal or with means conforming to the requirements of generally accepted standards.

Section 37-35A(1) shall be amended to read as follows:

**Section 37-35A.(1). Equipment.** Except in one family dwellings, heating equipment shall be maintained so as to provide an indoor temperature of 68 degrees Fahrenheit measured at a distance of 2 feet and more from exterior walls at a level of 5 feet above the floor.

Section 37-36A.(1) shall be amended to read as follows:

**Section 37-36A.(1).** Chimneys, smokestacks, flues, gasvents, smoke pipes and connectors shall be maintained in accordance with generally accepted standards, so as not to create fire hazard.

Section 37-37B.(1) shall be amended to read as follows:

**Section 37-37B.(1).** Incinerator and compactor rooms shall be secured to prevent tampering by unauthorized persons.

Item No. 15A Cont'd.

and, BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to General Code Publishers for the purpose of changing the appropriate sections of the Code 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. 15B Motion by Councilman Johnson Seconded by Supervisor Weber

WHEREAS, the New York State Fire Prevention and Building Code became effective across New York State on January 1, 1984, and

WHEREAS, the State Code would have superceded the Town's Fire Prevention Code if this Town Board did not petition the State to keep its own code, and

WHEREAS, by resolution dated February 6, 1984, this Town Board petitioned the New York State Fire Prevention and Building Code Council ("Code Council") to retain our Fire Prevention Code, which we felt was more stringent than the State Code, and

WHEREAS, the Code Council has reviewed the Town's Fire Prevention Code and has made a determination that most of the sections of the Town Fire Prevention Code are more stringent than the State Code and thus may be retained by the Town, and

WHEREAS, the Town Fire Inspector is agreeable with the findings of the Code Council, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforesaid findings of the Code Council, and BE IT FURTHER

RESOLVED that the following sections of the Fire Prevention Code shall be amended to read as follows, in accordance with the findings of the Code Council:

\*SEE NEXT TWO (2) PAGES FOR COPY OF AMENDMENTS.

SECTIONS OF FIRE PREVENTION CODE TO BE REVISED

Section 9. 1 shall be amended to read as follows:

**Section 9.1 General Requirements**

- a. This Section shall apply to dry cleaning plants, including coin-operated self-service establishments, using solvents classified as non-flammable.
- b. Dry cleaning plants using combustible or flammable liquids in quantities exceeding 4 gallons shall be maintained in accordance with generally accepted standards.
- c. **Ventillation.** Exhaust systems shall be maintained so as to adequately limit solvent vapor concentration within the plant.
- d. **Pumps and Piping.** Pumps, pipes, valves, fittings and solvent handling equipment shall be maintained free from leaks.
- e. **Spotting Operations.** Flammable or combustible liquids used for spotting operations shall be in safety cans of not more than one gallon capacity with aggregate amount not exceeding 4 gallons. Flammable or combustible liquids shall be prohibited in coin-operated self-service establishments.

Section 9.2 shall be amended to read as follows:

**Section 9.2**

- a. This section shall apply to dry cleaning plants using solvents, classified as flammable or combustible, in excess of 4 gallons.
- b. The installation, use, operation and maintenance of dry cleaning plants as defined above shall be in accordance with generally accepted standards.
- c. Pumps, pipes, valves, fittings and solvent handling equipment shall be maintained free from leaks.
- d. Emergency drainage systems shall be maintained in a safe operating condition.
- e. Dry cleaning equipment shall be electrically grounded.
- f. Stills shall be maintained liquid-tight and gas-tight.

Section 9.3 shall be amended to read as follows:

**Section 9.3 Generally Accepted Standards**

For purposes of this Article, the term "generally accepted standard" shall mean "generally accepted standard", as such term is defined and listed in Chapter G of the New York State Uniform Fire Prevention and Building Code.

Section 9.4	shall be repealed in its entirety.
Section 9.5	"
Section 9.6	"
Section 9.7	"
Section 9.8	"
Section 9.9	"
Section 9.10	"
Section 9.11	"
Section 9.12	"
Section 9.13	"
Section 9.14	"
Section 9.15	"
Section 9.16	"
Section 9.17	"
Section 9.18	"

ARTICLE 15, Division II, shall be amended to read as follows:

**DIVISION II - SPRAY FINISHING**

Section 15.21. All spray areas shall be kept free from the accumulation of deposits of combustible residues. If residue accumulates to excess in booths, duct or duct discharge points or other spray areas, then all spraying operations shall be discontinued until conditions are corrected.

Section 15.22. Spray booths shall be readily accessible on all sides for cleaning. Area shall be kept free from storage or combustible construction.

Section 15.23. Discarded filter pads and filter rolls shall be removed to a safe, well-detached location or placed in a water-filled metal container.

Section 15.24. **Generally accepted standards.** For purposes of this Article, the generally accepted standards as defined and listed in Chapter G of the New York State Uniform Fire Prevention and Building Code shall apply.

Section 15.25	shall be repealed in its entirety.
Section 15.26	"
Section 15.27	"
Section 15.28	"
Section 15.29	"
Section 15.210	"

ARTICLE 15, Division III, shall be amended to read as follows:

**DIVISION III - DIP TANKS**

Section 15.31. The ventillation, electrical installation, fire protection and construction of dip tanks shall be maintained in accordance with generally accepted standards.

Section 15.32. Dip tanks with hold open covers shall be equipped with a fusible link so as to enable the cover to automatically close in the case of fire.

Section 15.33. Covers shall be kept closed when tanks are not in use.

Section 15.34. Areas in the vicinity of dip tanks shall be kept free of combustible debris.

Section 15.35. Waste or rags used in connecting with dipping operations shall be deposited in self-closing metal cans after use.

Section 15.36. Ventillating system interlocks shall be maintained so that the failure of the ventillating fan shall automatically stop any dipping conveyor system.

Section 15.37. **Generally accepted standards**

For purposes of this Article, the term "generally accepted standard" shall mean "generally accepted standard", as such term is defined and listed in Chapter G of the New York State Uniform Fire Prevention and Building Code.

Section 15.38	shall be repealed in its entirety.
Section 15.39	"
Section 15.310	"
Section 15.311	"
Section 15.312	"

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April 7, 1986

Item No. 15B 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 Unanimous

WHEREAS, Trico Products Corporation has announced plans to relocate one-half of its manufacturing operations out of the Buffalo area, and

WHEREAS, the impact of this relocation would be felt throughout the Western New York area, including Cheektowaga, and

WHEREAS, such relocation would result in a loss of a minimum of 1,400 jobs, 177 of which are held by Cheektowaga residents, thereby increasing the unemployment rate in this already depressed area, and

WHEREAS, such relocation would also cost State and local governments millions of dollars yearly in terms of unemployment benefits and lost tax revenues, and

WHEREAS, an "Economic Analysis of Trico" prepared by the Center for Applied Research in Urban and Regional Development at Buffalo State College states that for every dollar in wages lost by the relocation of Trico, approximately 2.03 additional dollars are lost to the local economy through indirect effect, and

WHEREAS, this Town Board is very concerned about the loss of jobs and tax dollars from this area resulting from the relocation of part of Trico's operations, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby implores Trico to remember its commitment to the economic and cultural welfare of the Western New York area and its workers and to reconsider its proposed relocation out of the Buffalo area, and BE IT FURTHER

RESOLVED that this Town Board hereby commends Trico's Board of Directors for reconsidering its announced decision to move one-half of its operations out of Western New York and for their willingness to cooperate with the State's economic development staff in looking at alternatives to such relocation, and BE IT FURTHER

RESOLVED that this Town Board hereby expresses its belief that, if Trico remains in this area, its operations will expand and become more profitable, and BE IT FURTHER

RESOLVED that this Town Board applauds and supports the efforts of an organization known as the Coalition of Religious and Community Leaders, which is endeavoring to convince Trico to keep all of its manufacturing operations here in Western New York, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Trico Products Corporation, 817 Washington Street, Buffalo, New York 14203.

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 Councilman Johnson Seconded by Councilman Gabryszak

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

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April 7, 1986

Item No. 17 Cont'd.

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

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

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

1. elects to self-fund its risks of loss for which no insurance is purchased, including, but not limited to the risks normally covered by General Liability, Police, Professional Liability, Dispatchers Errors & Omissions Liability, and Excess Umbrella Liability policies; and
2. assumes its legal obligations to respond on behalf of itself and others to whom it has contracted to or is obligated to provide such insurance.

and, BE IT FURTHER

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

1. retain claims administration and loss control services; and
2. establish prudent reserve funds as permitted by law to spread the payment of uninsured claims and losses over a period of several years.

Upon Roll Call....

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

Item No. 18A Motion by Councilman W. Rogowski Seconded by Councilman J. Rogowski

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

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

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

	<u>Cost</u>	<u>Effective Date</u>
<u>From Joseph J. Naples &amp; Associates, Inc.:</u>		
Auto Liability Insurance - \$1,000,000 Limits	\$117,465	3/30/86
Auto Fire Insurance - Vehicles Over \$5,000	\$ 8,651	3/30/86
Building & Contents - "All Risks" Insurance	\$ 39,370	3/30/86
Property of Others/Off Premises Insurance	\$ 600	3/30/86
Workers Compensation - Summer Employment Program	\$ 3,849	4/01/86
Claims Administration - Liability (except Auto) and Insurance Marketing Contract Fee	\$ 32,750	3/30/86
Loss Control Services - 100 hours	\$ 4,250	3/30/86

MEETING NO. 7  
April 7, 1986

Item No. 18A Cont'd.

	<u>Cost</u>	<u>Effective Date</u>
<u>From Hoey Agency:</u>		
Boiler & Machinery Insurance	\$ 4,540	3/30/86
Contractors Equipment Insurance (without Computer Supplement)	\$ 5,903	3/30/86

and, BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a claims administration, insurance marketing, and loss control service contract with the joint venture of Joseph J. Naples & Associates, Inc. and Laverack & Haines, Inc., such contract being subject to the approval of the Town Attorney and the Town's Insurance Consultant, and BE IT FURTHER

RESOLVED that such contract shall contain therein a clause permitting such companies to establish a loss payment fund not to exceed \$25,000 without subsequent approval, and authorization to pay any reasonable claim adjusting/defense expenses and claims for bodily injury up to \$5,000 and for property damage up to \$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. 18B Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) owns and operates a transportation facility in the Town of Cheektowaga, known as the Greater Buffalo International Airport, and

WHEREAS, the Town is providing special police protection services at the Airport pursuant to the terms of a written agreement made with the NFTA and dated March 18, 1985, and

WHEREAS, the aforementioned agreement terminated on March 31, 1986, and

WHEREAS, it is in the best interests of the Town and the NFTA to modify and extend the agreement for special police protection services at the Airport until May 31, 1986, and

WHEREAS, such extension has been approved by the Chief of Police and this Town Board, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all documents between the Town of Cheektowaga and the Niagara Frontier Transportation Authority necessary for the continuation of special police protection services at the Greater Buffalo International Airport until May 31, 1986.

Upon Roll Call....

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

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

WHEREAS, in order to clarify the meaning of Sections 13.02 and 20.01 of the 1985-86 Agreement between the Town of Cheektowaga and the Chief of Police and Assistant Chief of Police, the attached Memorandum of Understanding was prepared, and

WHEREAS, the Chief of Police has executed such Memorandum of Understanding on behalf of himself and the Assistant Chief of Police, NOW, THEREFORE, BE IT

MEETING NO. 7  
April 7, 1986

Item No. 18C Cont'd.

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Memorandum of Understanding on behalf of the Town of Cheektowaga.

\*SEE NEXT PAGE FOR COPY OF MEMORANDUM OF AGREEMENT.

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MEMORANDUM OF UNDERSTANDING

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE

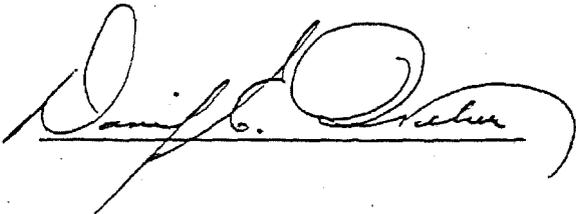
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It is understood by and between the TOWN OF CHEEKTOWAGA and the CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE that the following paragraph shall be incorporated into and become part of the 1985-1986 collective bargaining AGREEMENT between THE TOWN OF CHEEKTOWAGA and THE CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE which was entered into on the 3rd day of March, 1986, at the end of Section 13.02 of such Agreement:

"At age 65 years, such retirees shall be provided with Blue Cross and Blue Shield Supplemental Coverage without riders, unless riders are provided to other Town employees."

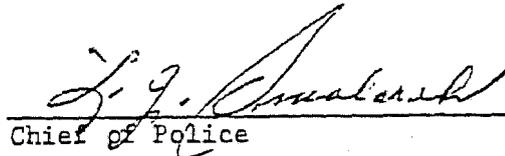
Dated: April 7, 1986

TOWN OF CHEEKTOWAGA



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TOWN OF CHEEKTOWAGA CHIEF OF  
POLICE AND ASSISTANT CHIEF OF  
POLICE



---

Chief of Police

MEETING NO. 7  
April 7, 1986

Item No. 18C 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. 19 Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, there is need for obtaining technical services that are not included in the scope of any current project, AND

WHEREAS, such services are needed in resolving erosion control problems, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is hereby authorized to secure the services of

Merriman Conservation Consultants  
504 Ridge Avenue, East Aurora, New York 14052

as needed at the rate of twenty-eight (\$28.00) dollars per hour for the services of a conservation consultant, said rate to apply for the calendar year of 1986, AND, BE IT FURTHER

RESOLVED that payment for said services shall be made only where authorized by the Town Engineer in writing to said consultant and that services are chargeable to the Miscellaneous Erosion Control Budget Item 008540.4571.

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 Gabryszak

WHEREAS, Cleveland Hill Baseball, Inc. will be holding their Opening Day Ceremonies on Saturday, May 17, 1986, AND

WHEREAS, Cleveland Hill Baseball, Inc., as part of their Opening Day Ceremonies, will be sponsoring a parade on Saturday, May 17, 1986, commencing at 12:00 Noon, AND

WHEREAS, the parade will begin at the V.F.W. Post at Harlem Road and Genesee Street, proceed north on Harlem Road to Cleveland Drive, east on Cleveland Drive to Maplevie Road and then on to the Cleveland Hill High School football field, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law.

Upon Roll Call....

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

Item No. 21 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

MEETING NO. 7  
April 7, 1986

Item No. 21 Cont'd.

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

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

101 Cochrane	-	\$8,011.00
35 Gabrielle	-	\$ 290.00
31 Wellington	-	\$3,436.00
1042 George Urban	-	\$7,446.00

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. 22 Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, a cave-in in the street in front of #255 McNaughton Avenue was reported by the Sewer Department, AND

WHEREAS, it was necessary to effect immediate repairs and the Town's Sewer Maintenance Department was unable to do the repair due to the depth of the sewer, AND

WHEREAS, Mar-Wal Construction Co., Inc., was delegated to affect said repair and which extent of work is outlined in the April 2, 1986 memo of the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the voucher of Mar-Wal construction Co., Inc., 440 Gould Avenue, Depew, New York 14043, in the amount of \$2,971.13 to make the necessary sewer repair be and hereby is approved, AND, BE IT FURTHER

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

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 J. Rogowski

WHEREAS, the United States Department of Housing and Urban Development will be celebrating the Eighteenth Anniversary of the Federal Fair Housing Act of 1968 during the month of April, 1986, and

MEETING NO. 7  
April 7, 1986

Item No. 23 Cont'd.

WHEREAS, the Federal Fair Housing Act of 1968 has helped to lessen discriminatory housing practices throughout the United States, and

WHEREAS, the strength of our nation, and of all its states, flows from the promise of individual equality and freedom of choice, and

WHEREAS, fair housing is our national policy and implementation of that policy requires the positive commitment, involvement and support of each one of our citizens, and

WHEREAS, the departments and agencies of our Government provide leadership in the effort to make fair housing not just an idea, but an ideal for all of our citizens, and

WHEREAS, barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all of us, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby proclaims the month of April, 1986 as "FAIR HOUSING MONTH" in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that this Town Board hereby calls upon its residents to join us in reaffirming the obligation and commitment to fair housing opportunities for all, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to prepare a Proclamation declaring April, 1986 as "FAIR HOUSING MONTH" and to forward same to the United States Department of Housing and Urban Development at its Buffalo Office, Region II, 107 Delaware Avenue, Statler Building, Buffalo, New York 14202-2986.

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 AFFIDAVIT OF PUBLICATION

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

*Linda M. Gross*, 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 .....<sup>1</sup>..... weeks;  
first publication *April 10, 1986*..... ;  
last publication *April 10, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Gross*

Sworn to before me this .....*11*.....<sup>th</sup>  
day of *April*....., 19*86*.

*Elizabeth M. Murszewski*

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

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



## Proclamation

WHEREAS, The strength of our nation, and all of its states, flows from the promise of individual equality and freedom of choice; and

WHEREAS, Fair housing is our national policy, implementation of that policy requires the positive commitment, involvement and support of each one of our citizens; and

WHEREAS, The departments and agencies of our Government are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, Barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all;

NOW, THEREFORE, I, Supervisor of the Town of Cheektowaga, New York do hereby proclaim the month of April, 1986 as:

### FAIR HOUSING MONTH

In the Town of Cheektowaga and ask its people of the Town to join me in reaffirming the obligation and commitment to fair housing opportunities to all.

IN WITNESS WHEREOF I have hereinto set my hand and caused the Seal of the Town of Cheektowaga to be affixed this 1st day of April 1986

  
DANIEL E. WARNER  
Supervisor

By order of the Town Board of the Town of  
Cheektowaga, Erie County, New York  
Richard M. Molestki  
Town Clerk

PUBLISH: April 10, 1986

MEETING NO. 7  
April 7, 1986

Item No. 24 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:	599.00 (Appropriated Fund Balance)	\$4,500.00
To:	9501-9131 (Serial Bond-Principal)	\$4,500.00

SPECIAL DISTRICTS FUND

From:	599.00 (Appropriated Fund Balance)	\$5,500.00
	508125.4543 (Sewer Dist. 5-Remedial)	\$2,000.00
To:	858160.9131 (Serial Bond-Principal)	\$5,000.00
	208122.9101 (Serial Bond-Principal)	500.00
	508125.4966 (Union Rd. Pump Station-Maintenance)	\$2,000.00

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

William L. Wielinski.

Upon Roll Call....

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

Item No. 25 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 April 7th, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$238,339.97
SPECIAL DISTRICT FUND	66,298.44
HIGHWAY FUND	70,372.70
TRUST AND AGENCY FUND	11,464.79
PART TOWN FUND	4,150.54
HUD-CDBG FUND	54,848.93
HUD-REHABILITATION FUND	226.80
DEBT SERVICE FUND	463,707.50
CAPITAL FUND	33,311.64
	<u>\$942,721.31</u>

Upon Roll Call....

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

II. FROM THE TABLE

Item No. 26 Create position of Cleaner in Parks Department.  
THIS ITEM WAS WITHDRAWN.

MEETING NO. 7  
April 7, 1986

\*\*\*\*\*

Motion by Councilman Johnson Seconded by Councilman W. Rogowski to adjourn into Executive Session, pursuant to Public Officers Law, regarding Item No. 27.

Upon Roll Call....

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

\*\*\*\*\*

Item No. 27 Determination and findings on acquisition of private property for access to Cheektowaga Volunteer Firemens Memorial Park.

Motion by Councilman Johnson Seconded by Councilman W. Rogowski

WHEREAS, a public hearing was held in accordance with the provisions of the Eminent Domain Procedure Law on the acquisition by the Town of a generally rectangular parcel of land currently owned by M.J. Ogiony, Inc. on the north side of Losson Road, for the purpose of providing ingress and egress from landlocked town parkland known as "Cheektowaga Volunteer Firemen's Memorial Park", and

WHEREAS, at such public hearing the purpose of the public project, along with its proposed location and all other pertinent information, was available for consideration; and all interested persons were given a reasonable opportunity to be heard,

NOW, THEREFORE, BE IT RESOLVED that this Town Board hereby determines that it is in the public interest for the Town of Cheektowaga to acquire that parcel of land owned by M.J. Ogiony, Inc., situated on the north side of Losson Road; which land is more fully described in the attached legal description, and BE IT FURTHER

RESOLVED that the Town Clerk publish the attached "Synopsis of Determination and Findings of Condemnor" in two successive issues of the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

\* See next two (2) pages for Synopsis and legal description.

SYNOPSIS OF DETERMINATION AND  
FINDINGS OF CONDEMNOR

A public hearing has been held in accordance with the provisions of the Eminent Domain Procedure Law on the acquisition by the town of a generally rectangular parcel of land situated on the north side of Losson Road, locally known as No. 1004 Losson Road, Cheektowaga, New York and currently owned by M. J. Ogiony, Inc.,; such acquisition being for the public purpose of providing ingress to and egress from landlocked parkland known as "Cheektowaga Volunteer Firemen's Park".

After the conclusion of the said public hearing, the Town Board of the Town of Cheektowaga determined that it was in the public interest for the Town to acquire the aforementioned land.

A synopsis of the determination and findings made are as follows:

1. The public use, benefit or purpose to be served by the proposed public project is the providing of access, both ingress to and egress from, a parcel of landlocked town parkland known as "Cheektowaga Volunteer Firemen's Park".

2. The proposed public project is locally known as No. 1004 Losson Road, Cheektowaga, New York, and is more fully described in a deed from Robert F. Miller and Anna M. Miller to M. J. Ogiony, Inc. recorded in the Erie County Clerk's Office in Liber 9535 of Deeds at page 129. This location was selected because it afforded the most direct and unencumbered access available at the least cost for acquisition and development.

3. The general effect of the proposed project upon the environment and residents of the locality is non-significant.

A copy of the determination and findings will be forwarded upon written request without cost.

Dated: March 17, 1986

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 52, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the north line of Losson Road (sixty-six (66) feet wide), two hundred and seventy-five (275) feet west of the easterly line of said Lot Number 52 (said point being one hundred and eighty-five (185) feet west of the southwest corner of lands conveyed to William J. Miller and wife by deed recorded in Erie County Clerk's Office on July 17, 1979, in Liber 8809 of Deeds at page 61); thence northerly along a line parallel with the westerly line of lands conveyed to said Miller by deed last above mentioned, two hundred twenty-eight and thirty-two hundredths (228.32) feet to a point in the southerly line of lands conveyed to the Town of Cheektowaga recorded in Erie County Clerk's Office on March 26, 1968, in Liber 7453 of Deeds at page 117; thence westerly along the southerly line of lands so conveyed to the Town of Cheektowaga, a distance of seventy-four and eighty-one hundredths (74.81) feet to a point; thence southerly along a line parallel to the first described line herein two hundred seventeen and forty-four hundredths (217.44) feet to a point in the northerly line of Losson Road (sixty-six (66) feet wide) (said point being three hundred ninety-five and fifty-four hundredths (395.54) feet east of ~~Losson Road (sixty-six (66) feet wide)~~ the westerly line of lands conveyed to Robert Miller and wife by deed recorded in Erie County Clerk's Office on December 11, 1952 in Liber 5238 of Deeds at page 196, as measured along the northerly line of Losson Road (sixty-six (66) feet wide); thence easterly along the northerly line of Losson Road (sixty-six (66) feet wide), seventy-five (75) feet to the place of beginning.

MEETING NO. 7  
April 7, 1986

Item No. 27 Cont'd.

MOTION BY COUNCILMAN JOHNSON, SECONDED UNANIMOUSLY TO TABLE THE ABOVE RESOLUTION FOR A PERIOD OF TWO WEEKS, 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

\*THE ABOVE RESOLUTION WAS TABLED FOR TWO (2) WEEKS.\*

III. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Building Permits.  
Received and filed.

Item No. 29A Cheektowaga Planning Board: Minutes of February 1986 meeting.  
Received and filed.

Item No. 29B Cheektowaga Traffic Safety Commission: Minutes of March 1986 meeting.  
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 30 Erie Niagara Counties Regional Planning Board: Letter and resolution regarding NFTA (Update of Master Plan for Greater Buffalo International Airport.)  
Copies of this correspondence were sent to: James Kirisits, Town Attorney; Karen McAuley, Council Secretary; and Sal LaGreca, Planning Board Chairman.  
Received and filed.

Item No. 31A Summons and Complaint: Lenore L. Bren vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples & Associates, Town's Insurance Carrier; Alfred Wnek, Highway Superintendent.  
Received and filed.

Item No. 31B Summons and Complaint: Bronislaus Lis vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Leonard J. Smolarek, Chief of Police; Dennis Ciotuszynski, Town Prosecutor; Judges Office; and Schmitt & Kraft (per Town Attorneys Office).  
Received and filed.

Item No. 32A Notice of Claim: Louis Sebastian vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent.  
Received and filed.

Item No. 32B Notice of Claim: Michael J. Billi vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Alfred Wnek, Highway Superintendent.  
Received and filed.

MEETING NO. 7  
April 7, 1986

\*\*\*\*\*

Motion by Supervisor Weber Seconded by Councilman Kowal to suspend the rules to include the following two (2) items, and the voting was as follows:

Upon Roll Call....

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

\*\*\*\*\*

V. SUSPENSION OF RULES

Item No. 33 Appointments of Board of Directors of Cheektowaga Economic Development Corporation.

Motion by Councilman Johnson Seconded by Councilman J. Rogowski

WHEREAS, the Town Board of the Town of Cheektowaga has previously created a corporation known as the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development within the Town, and

WHEREAS, by resolution dated February 7, 1983, this Town Board approved the proposed By-Laws of the Cheektowaga Economic Development Corporation, and

WHEREAS, the aforesaid By-laws provide that the directors of the Cheektowaga Economic Development Corporation shall be appointed by resolution of the Town Board of the Town of Cheektowaga, and

WHEREAS, the Board of Directors of the Cheektowaga Economic Development Corporation has recommended the appointment of individuals as hereinafter listed to the Board of Directors of said Corporation, and

WHEREAS, this Town Board is in agreement with the recommendations of the Directors of the Cheektowaga Economic Development Corporation, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are named to the Board of Directors of the Cheektowaga Economic Development Corporation effective immediately and expiring on the following dates:

<u>DIRECTOR</u>	<u>TERM EXPIRES</u>
Samuel Tadio	April 7, 1989
Robert Pietrzak	April 7, 1989
Charles Miller	April 7, 1989

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 Approve new hourly rates for various departments and per diem for Town Clerk and Tax Office.

Motion by Councilman Kowal Seconded by Councilman Jaworowicz

BE IT RESOLVED that any and all seasonal and part-time employees working in the following Town departments who are currently being paid less than \$3.35 per hour shall hereafter be paid at the rate of \$3.35 per hour:

MEETING NO. 7  
April 7, 1986

Item No. 34 Cont'd.

Recreation Department  
Central Garage  
Police Department  
Sewer Maintenance Department  
Sewer Treatment Plant  
Town Clerk's Office  
Youth Bureau

and, BE IT FURTHER

RESOLVED that any and all seasonal and part-time clerks working in the following Town departments who are currently being paid \$25.00 per day shall hereafter be paid at the rate of \$26.80 per day:

Town Clerk's Office  
Tax 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. 35 Motion by Supervisor Weber Seconded by Councilman Kowal to adjourn the meeting in memory of Alfred F. Machnica.

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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 21st day of April, 1986 at 7:00 o'clock P.M., Eastern 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; Michael Stachowski, Deputy Town Attorney; Casey Kozminski, Assessor; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector; Donald Wegner, Chairman of Zoning Board of Appeals; Leonard Smolarek, Chief of Police; Andrew Kulyk, Zoning Board member; Julia Reinstein, Town Historian; Ron Zoeller, Working Foreman in Sanitation Department; Pat Wojcik, Recreation Director-Senior Citizens; Sal LaGreca, Employment and Training Director II.

#### I. RESOLUTIONS

Item No. 2 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, by resolution dated January 6, 1986, this Town Board established its 1986 work sessions as being on the second Saturday of each month at 10:00 A.M., and

WHEREAS, this Town Board now desires to change the dates and time of such work sessions for the months of June, July, August and September, NOW, THEREFORE, BE IT

RESOLVED that the Town Board work sessions for the months of June, July, August and September in 1986 shall be established as being the fourth Mondays in such months at 5:30 P.M., and BE IT FURTHER

RESOLVED that Town Board work sessions for the remaining months of 1986 shall remain as the second Saturdays of such months at 10:00 A.M.

Upon Roll Call....

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

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

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

MEETING NO. 8  
April 21, 1986

Item No. 3a cont'd

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MOTION BY COUNCILMAN J. ROGOWSKI, SECONDED BY COUNCILMAN JOHNSON TO TABLE THE ABOVE RESOLUTION and the voting was as follows:

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

THE ABOVE RESOLUTION WAS TABLED!

Item No. 3b Decision on Special Use Permit - 4900 Transit Road  
This item was withdrawn.

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

WHEREAS, Cheektowaga Police Department personnel have recommended that this Town Board adopt a comprehensive local law governing the safe and expeditious removal and storage of abandoned, disabled and certain unattended motor vehicles in the Town of Cheektowaga, and

WHEREAS, Cheektowaga Police Department personnel, in conjunction with the Town Attorney's Office, have drafted a proposed Local Law entitled "VEHICLES, REMOVAL AND STORAGE", and

WHEREAS, this Town Board is interested in enacting such Local Law and in repealing Article XII of Chapter 76 of the Code of the Town of Cheektowaga relating to the removal and storage of vehicles, for the benefit of the residents of the Town, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on the 5th day of May, 1986 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York for the purpose of considering the advisability of adopting Local Law No. 2 of the Year 1986 entitled "VEHICLES, REMOVAL AND STORAGE" and of repealing Article XII of Chapter 76 of the Code of the Town of Cheektowaga relating to the removal and storage of vehicles, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES

\*\*\*\*\*

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 5th day of May, 1986 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed Local Law No. 2 of the Year 1986 entitled "VEHICLES, REMOVAL AND STORAGE", which provides for the safe and expeditious removal and storage of abandoned, disabled and certain unattended motor vehicles from highways situated in the Town of Cheektowaga.

In addition, at such hearing, the Town Board will also consider the repeal of Article XII of Chapter 76 of the Code of the Town of Cheektowaga relating to the removal and storage of vehicles.

DATED: Cheektowaga, New York  
April 21, 1986

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.

*Linda G. Pors*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... *april 24, 1986* ..... ;  
last publication..... *april 24, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pors*

Sworn to before me this *25th*

day of *April*, 19 *86*

*Elizabeth A. Galbo*

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

ELIZABETH A. GALBO  
Notary Public in the State of New York  
ERIE COUNTY  
Commission Expires *2/28/89*

**LEGAL NOTICE  
NOTICE OF HEARING**  
NOTICE IS HEREBY GIVEN  
that a public hearing will be held  
before the Town Board of the Town  
of Cheektowaga on the 5th day of  
May, 1986 at 7:00 P.M. at the Town  
Hall, corner of Broadway and  
Union Road, Cheektowaga, New  
York to consider and discuss and,  
if need be, act upon the following  
proposed Local Law No. 2 of the  
Year 1986 entitled "VEHICLES,  
REMOVAL AND STORAGE,"  
which provides for the safe and ex-  
peditions removal and storage of  
abandoned, disabled and certain  
unattended motor vehicles from  
highways situated in the Town of  
Cheektowaga.

In addition, at such hearing, the  
Town Board will also consider the  
repeal of Article XII of Chapter 76  
of the Code of the Town of Cheek-  
towaga relating to the removal and  
storage of vehicles.

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

**RICHARD M. MOLESKI**

Town Clerk

DATED: April 21, 1986  
PUBLISH: April 24, 1986

MEETING NO. 8  
April 21, 1986

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

WHEREAS, bids were duly received on March 31, 1986 as the result of advertisement, therefore, for the furnishing of round tapered aluminum street light standards and truss arms delivered f.o.b. to the Town of Cheektowaga for the year of 1986, said bids were referred to the Town Engineer for analysis, tabulation and report, which report is hereto attached and contained in a letter to the Town Board dated April 16, 1986, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of round tapered aluminum street light standards and truss arms for the year of 1986 as per said unit prices and as recommended by the Town Engineer is hereby awarded to the lowest responsible bidder,

L.A. Woolley, Inc.  
75 Ellicott Street  
Buffalo, New York 14203

Unit Price

\$562.11 ea.

Round tapered aluminum standard  
(30' mounting height) including  
15' truss tapered elliptical arm

\* See next page for letter

Upon Roll Call....

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

NAYES: 0

ABSENT: 0



## Town of Cheektowaga

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

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

April 16, 1986

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

Re: Bid Award - Round Tapered  
Aluminum Standards & Truss Arms

Gentlemen:

At a public bid opening on March 31, 1986 bids were received and opened for the purchase of 30' round aluminum standards and 15' truss elliptical arms, delivered to the Town of Cheektowaga during the 1986 calendar year. Three (3) bids were opened as follows:

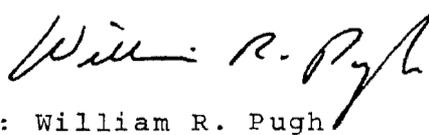
<u>Bidder</u>	<u>Aluminum Standard Unit Price</u>	<u>Truss Arm Unit Price</u>	<u>Manufacturer</u>
Buffalo Light & Supply Corp.	\$ 824.55	\$ 204.25	Crouse-Hinds
L.A. Woolley Inc.	\$ 562.11	Included in price of std.	Hapco
Lang Electric	\$ 608.76	" "	Hapco

Due to the fact that bids were received from local distributors specifying equipment from two (2) different manufacturers, a telephone conversation was held with a purchasing representative of New York State Electric & Gas in Binghamton, New York to ascertain the quality of the less expensive Hapco equipment. N.Y.S.E.G. has purchased Hapco equipment in the past and has found it satisfactory. It is, therefore, recommended that the bid be awarded to the lowest responsible bidder, L.A. Woolley Inc. for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

  
By: William R. Pugh  
Junior Engineer

CLB:WRP:mjh

MEETING NO. 8  
April 21, 1986

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

WHEREAS, in response to a growing concern over the environmental and health hazards resulting from the chemical spraying of lawns, State Assemblyman Francis J. Pordum, has introduced legislation to restrict the activities of chemical lawn spraying companies, and

WHEREAS, such legislation would among other things:

1. Require lawn spraying companies to provide homeowners with an actual contract, including information in legible form of the types of chemicals to be used;
2. Require lawn spraying companies to give homeowners advance notice of the day and time chemicals would be applied; and
3. Require applicators to post four notices on lawns prior to spraying, such notices to remain in place for 48 hours after such spraying;

and,

WHEREAS, legislation is also being proposed to require pesticide applicators to carry higher liability insurance for property damage caused by pesticides and to require pesticide businesses to inform customers as to the extent of their liability, and

WHEREAS, people may be harmed through damages to their central nervous systems, immune suppression, chemical sensitivities and neurological problems caused by their exposure to pesticides, and

WHEREAS, this Town Board is concerned about the environmental and health hazards its residents are subjected to as a result of the activities of lawn spraying companies, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Assembly, the State Senate and Governor Mario Cuomo to adopt lawn spraying legislation as proposed by State Assemblyman Francis J. Pordum and the State Attorney General's Office, and BE IT FURTHER

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

THE ABOVE RESOLUTION WAS CALLED FOR AN AMENDMENT BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN JOHNSON, 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

SAID AMENDMENT IS AS FOLLOWS:

Motion by Councilman Kowal, Seconded by Councilman Johnson

WHEREAS, in response to a growing concern over the environmental and health hazards resulting from the chemical spraying of lawns, State Assemblyman Francis J. Pordum, has introduced legislation to restrict the activities of chemical lawn spraying companies, and

WHEREAS, such legislation would among other things:

1. Require lawn spraying companies to provide homeowners with an actual contract, including information in legible form of the types of chemicals to be used;
2. Require lawn spraying companies to give homeowners advance notice of the day and time chemicals would be applied;

MEETING NO. 8  
April 21, 1986

Item No. 6 cont'd

3. Require applicators to post four notices on lawns prior to spraying, such notices to remain in place for 48 hours after such spraying;
4. Prevent application of lawn pesticides during periods of precipitation or when weather conditions favor drift; and
5. Notify renters of the specific pesticides being applied to the property they are renting.

and,

WHEREAS, legislation is also being proposed to require pesticide applicators to carry higher liability insurance for property damage caused by pesticides and to require pesticide businesses to inform customers as to the extent of their liability, and

WHEREAS, people may be harmed through damages to their central nervous systems, immune suppression, chemical sensitivities and neurological problems caused by their exposure to pesticides, and

WHEREAS, this Town Board is concerned about the environmental and health hazards its residents are subjected to as a result of the activities of lawn spraying companies, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Assembly, the State Senate and Governor Mario Cuomo to adopt lawn spraying legislation as proposed by State Assemblyman Francis J. Pordum and the State Attorney General's Office, and BE IT FURTHER

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

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 Jaworowicz, Seconded by Councilman Kowal

WHEREAS, \$50,000 has been allocated to the Town of Cheektowaga through the State Division of Criminal Justice Services budget for the purchase of a computer system for the Cheektowaga Police Department, and

WHEREAS, Lieutenant John Howlett, the officer assigned to the Records Room in the Cheektowaga Police Department, has recommended that the Town purchase a Digital Equipment Corporation Micro Vax II computer system, and

WHEREAS, the Micro Vax II computer system equipment listed on the attached price quotation sheet dated April 2, 1986 is available on the New York State Office of General Services Contract at a greatly reduced cost, and

WHEREAS, this Town Board is desirous of purchasing the necessary components for the Micro Vax II computer system to assist the Cheektowaga Police Department in the organization and storage of records, and

WHEREAS, the purchase of the Micro Vax II computer system would save the Town of Cheektowaga tens of thousands of dollars annually in terms of employee overtime and previously uncollectible parking fines, NOW, THEREFORE, BE IT

RESOLVED that the purchase of the Micro Vax II computer equipment listed on the attached price quotation sheet dated April 2, 1986 as Items numbered 1-24 be and hereby is authorized, and BE IT FURTHER

MEETING NO. 8  
April 21, 1986

Item No. 7 cont'd

RESOLVED that this Town Board hereby also agrees to purchase basic software technical support and maintenance service from Digital Equipment Corporation at a cost of \$440 per month, said service to commence upon installation of the Micro Vax II computer system in the Police Department, and BE IT FURTHER

RESOLVED that this Town Board hereby also agrees to purchase on-site maintenance and technical support services (24 hours/day, 5 days/week) for the Micro Vax II computer software from Digital Equipment Corporation at a cost of \$406 per month, said service to commence upon the expiration of the 90 day guaranty period on such equipment, and BE IT FURTHER

RESOLVED that this Town Board hereby also agrees to purchase the RDM software for such computer system from Interactive Technologies at a price of \$4,995, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any and all papers necessary for the purchase of the above-mentioned computer equipment and service, and BE IT FURTHER

RESOLVED that moneys necessary for such purchase shall be appropriated from the Police Department budget, until such time as the Town is reimbursed by the State Division of Criminal Justice Services for \$50,000 towards the costs.

\* See next five (5) pages for quotation

Upon Roll Call....

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

860ARN0141Q



DIGITAL EQUIPMENT CORPORATION

Q U O T A T I O N

QUOTATION NUMBER	
860ARN0141-01-185	
DATE	02-Apr-86
PLEASE REFER TO THIS QUOTATION IN ALL CORRESPONDENCE AND ORDERS	

QUOTATION EXPIRES: 01-Jun-86  
 REFERENCE:  
 STATE CONTRACT

TO:  
 TOWN OF CHEEKTOWAGA POLICE DEPT.  
 BROADWAY AND UNION ROAD  
 CHEEKTOWAGA, NEW YORK 14227  
 LT. JOHN HOWLETT

FROM:  
 PETER MILLER  
 Digital Equipment Corporation  
 Washington Avenue Extension  
 Albany, NY 12203

Thank you for your inquiry, we are pleased to quote as follows:

ITEM	QTY	MODEL NUMBER AND DESCRIPTION	TERMS	DSCNT PRCNT	UNIT PRICE	NET AMOUNT WITH DSCNT
1	1	630QB-A2 MVII SBB:1MB/FP, BA123 120V	*5	PK	\$11,928.00	\$11,928.00
2	1	ZNAAB-C5 HW INFO KIT W/DIAG-TK50,BA123	*5	0.00	\$300.00	\$300.00
3	1	RD53A-BA RD 53 WITH CABLES FOR BA123	*5	0.00	\$2,814.00	\$2,814.00
4	1	RQDX3-BA RD/RX CONTR PLUS CABLE-BA123	*5	0.00	\$1,545.60	\$1,545.60
5	1	TK50-AA 95MB CART TAPE (COMPONENT)	*5	0.00	\$2,095.80	\$2,095.80
6	1	TQK50-BA Q22 CONTR FOR TK50 IN BA123A	*5	0.00	\$835.80	\$835.80
7	1	QZ003-C5 MVMS 16 USER LIC + KEY TK50WW	*5	0.00	\$5,040.00	\$5,040.00

EXPORT OF THESE PRODUCTS REQUIRES PRIOR WRITTEN AUTHORIZATION FROM THE U.S. DEPARTMENT OF COMMERCE.



Q U O T A T I O N

DIGITAL EQUIPMENT CORPORATION

QUOTATION NUMBER	860ARN0141-01-185
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TEM	QTY	MODEL NUMBER AND DESCRIPTION	TERMS	DSCNT PRCNT	UNIT PRICE	NET AMOUNT WITH DSCNT
8	9	VT22Q-B2 A/N VIDEO TERMINAL-GREEN 120V	*5	0.00	\$615.00	\$5,535.00
9	9	VT22K-BA VT220 Word Processing Key- board Country Kit, consis- ting of: o User Documentation for U.S.A. & English-speaking Canada o Word Processing Keyboard o Keyboard Cable o Power Cord	*5	0.00	\$150.00	\$1,350.00
10	1	MS630-BA 2MB EXPANSION MEMORY FOR MVII	*5	0.00	\$2,000.00	\$2,000.00
11	2	DHV11-M 8 LINE ASYNC MUX EIA W/MC	*5	0.00	\$1,108.80	\$2,217.60
12	2	CK-DHV11-AA CAB KIT DHV/EIA 21 IN CABLE	*5	0.00	\$126.00	\$252.00
13	1	QZ003-H5 MVMS 16 USER UPD TK50	*5	0.00	\$1,000.00	\$1,000.00
	(1)	Monthly Software Maintenance			\$320.00	
14	5	LA50-RA LA50 Personal Printer Includes: - Draft, Memo, and Graphics mode - Stationery, Fanfold, and Multipart Form Handling - Multinational Character Set	*5	0.00	\$451.75	\$2,258.75

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DIGITAL EQUIPMENT CORPORATION

Q U O T A T I O N

QUOTATION NUMBER	860ARN0141-01-185
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QUOTATION EXPIRES: 01-Jun-86  
REFERENCE:  
STATE CONTRACT

ITEM	QTY	MODEL NUMBER AND DESCRIPTION	TERMS	DSCNT PRCNT	UNIT PRICE	NET AMOUNT WITH DSCNT
		- Push Tractor Feed - Table-top Unit - 120V 60 Hz o Print speed: 100 characters p/second(text mode); 50 characters p/second(enhanced print mode). o Print columns: 80 to 132. o Lines per inch: 2,3,4,6,8, or 12.				
					Subtotal	\$39,172.55
5	1	LN03-AA LN03_A2+ENGLISH DOC 120V	*5	0.00	\$2,445.00	\$2,445.00
16	1	QZ950-UZ A-TO-Z BASE M/VAX LIC W/WARR	*5	0.00	\$835.80	\$835.80
17	1	QZ950-H5 A-TO-Z BS M/VAX UPD TK50	*5	0.00	\$300.00	\$300.00
		(1) Monthly Software Maintenance			\$40.00	
18	1	QZ951-UZ A-TO-Z WP M/VAX LIC W/WARR	*5	0.00	\$835.80	\$835.80
19	1	QZ951-H5 A-TO-Z WP M/VAX UPD TK50	*5	0.00	\$400.00	\$400.00
		(1) Monthly Software Maintenance			\$40.00	
20	1	QZ955-UZ	*5	0.00	\$995.00	\$995.00

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DIGITAL EQUIPMENT CORPORATION

860ARN0141-01-185

DATE 02-Apr-86

PLEASE REFER TO THIS QUOTATION IN ALL CORRESPONDENCE AND ORDERS

QUOTATION EXPIRES: 01-Jun-86  
 REFERENCE:  
 STATE CONTRACT

ITEM	QTY	MODEL NUMBER AND DESCRIPTION	TERMS	DSCNT PRCNT	UNIT PRICE	NET AMOUNT WITH DSCNT
----- A-TO-Z ELE MAIL MICROVAX						
21	1	QZ955-H5 A-TO-Z ELE MAIL MICROVAX UPD	*5	0.00	\$400.00	\$400.00
	(1)	Monthly Software Maintenance			\$40.00	
22	5	BCC05-10 EIA Printer Cable, 3.1m (10 ft)	*5	0.00	\$30.00	\$150.00
23	1	QZ003-I5 MVMS 16 USER ISS TK50	*5	0.00	\$1,060.00	\$1,060.00
4	77	QS640-SZ ASSOC SOFTWARE ENG-HOURLY	*5	0.00	\$60.00	\$4,620.00
Subtotal						\$12,041.60
SUBTOTAL						
Insurance						\$51,214.15
NET TOTAL AMOUNT						\$227.82
(1) Total Basic Service Monthly Charge						\$51,441.97
						\$440.00

RE:

- (1) This charge is contingent upon having a signed Software Service Contract in place prior to the date of Installation.

EXPORT OF THESE PRODUCTS REQUIRES PRIOR WRITTEN AUTHORIZATION FROM THE U.S. DEPARTMENT OF COMMERCE.



DIGITAL EQUIPMENT CORPORATION

Q U O T A T I O N

QUOTATION NUMBER	
860ARN0141-01-185	
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PLEASE REFER TO THIS QUOTATION IN ALL CORRESPONDENCE AND ORDERS	

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REFERENCE:  
STATE CONTRACT

NOTE:

LINE ITEM #8 CABLE FOR VT220'S WILL BE ORDERED SEPARATELY AFTER CABLE LENGTHS HAVE BEEN DETERMINED. CABLE FOR SYSTEM CONSOLE IS INCLUDED IN 630QB-A2.

LINE ITEM #24 HOURLY RATE AGREED TO BY BUFFALO SOFTWARE SERVICES MANAGER.

This quotation shall remain firm for 60 days from the date hereof, unless modified in writing by Digital Equipment Corporation prior to our acceptance of your contract offer. This quotation is subject to credit approval and is governed by the Digital Equipment Corporation Standard Terms and Conditions of sale appearing on the reverse hereof and/or the terms as noted above and attached hereto.

\*5 Discount Agreement between purchaser and Digital as filled in above.

Any contract resulting from the quotation must be accepted at DIGITAL'S Corporate offices by a duly authorized representative of Digital Equipment Corporation. Insurance will be provided on property while in transit and a charge of \$.50 per \$100.00 of equipment valuation will be made unless instructions to the contrary are clearly stated on the face of the purchaser's order.

tation Prepared by

\_\_\_\_\_

PETER MILLER

MEETING NO. 8  
April 21, 1986

Item No. 8 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, the Town, thru its agreement with the State of New York, is obligated to maintain creek banks that were improved under the Federal Scajaquada Creek Flood Control Program which maintenance work requires the mowing of slopes, and

WHEREAS, the Town purchased a slope mower for the purpose of slope mowing three (3) times each season, and

WHEREAS, this is seasonal work which does not justify the hiring of additional personnel at a cost which would be substantially higher than the cost of contracting out this work, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is directed and authorized to contract out the work for the slope mowing along the Town's waterways, and BE IT FURTHER

RESOLVED that funds in the amount of \$8,500 are to be appropriated from the Federal Revenue Sharing Account.

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 J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, the Town of Cheektowaga is eligible to receive approximately \$575,000 in Community Development Block Grant funds for the 1986-87 Program Year, and

WHEREAS, a public hearing regarding the use of said funds was held on March 3, 1986, and

WHEREAS, the Town Director of Community Development has submitted a recommendation regarding the use of said funds, which include activities to principally benefit low and moderate income persons pursuant to the goals and objectives of the Housing and Community Development act and its governing rules and regulations, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed on behalf of the Town to submit to the U.S. Department of Housing and Urban Development an application for Community Development Block Grant funds totaling \$575,000 for the 1986-87 Program Year, said application incorporating the attached project allocations of Community Development Block Grant funds.

\* See next page for project allocations.

Upon Roll Call....

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

TOWN OF CHEEKTOWAGA  
Community Development Block Grant Application  
1986-87 Program Year

---

Administration	\$72,000.00
Village of Depew	62,975.00
Village of Sloan	23,600.00
Code Enforcement	60,000.00
Housing Rehabilitation	150,000.00
Economic Development	175,000.00
Cedargrove Heights	10,000.00
Supplemental Programs (Housing Assistance Center and Support Services)	10,000.00
Contingency	11,425.00
TOTAL	<u>\$575,000.00</u>

MEETING NO. 8  
April 21, 1986

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

WHEREAS, the State of New York, through the Commission of Transportation, assigned to the Town of Cheektowaga its preferential right to acquire a portion of Consolidated Rail Corporation (Conrail) abandoned railroad property identified as the Lehigh and Lake Erie Branch, running generally from William Street south to the Buffalo River, and

WHEREAS, the Town Engineer recommended that such railroad right-of-way land be procured so that the Town can construct a drainage system to alleviate flooding in the southwest section of Town, and

WHEREAS, by resolution dated May 20, 1985, this Town Board agreed to purchase such abandoned railroad right-of-way from Conrail for \$46,655 contingent upon a proper agreement being entered into, and

WHEREAS, Conrail has prepared such an agreement, which has been approved as to form by the Town Attorney's Office and the Town Engineering Department, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached "Conditional Agreement of Sale" for the purchase of the aforementioned railroad property, and BE IT FURTHER

RESOLVED that the sum of \$4,665.00, representing ten per cent of the purchase price, be paid to and sent to Consolidated Rail Corporation along with such Conditional Agreement of Sale, and BE IT FURTHER

RESOLVED that the sum of \$41,990, representing the balance of the purchase price, be paid to Consolidated Rail Corporation upon the closing of such property, as scheduled by the Town Attorney's Office.

\* See next pages for "Conditional Agreement of Sale"

Upon Roll Call....

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

CONDITIONAL AGREEMENT OF SALE

THIS AGREEMENT, made as of this 9th day of May, 1986, between CONSOLIDATED RAIL CORPORATION, a Pennsylvania corporation, with its Real Estate System Office at Room 901, 1528 Walnut Street, Philadelphia, Pennsylvania 19102 ("Conrail") through Robert W. Ryan, its Manager - Real Estate, whose office is located at Suite 204 Madison Towers, 60 Presidential Plaza, Syracuse, New York 13202, but subject to the authority of Conrail's senior management as hereinafter specified, and Town of Cheektowaga

having a mailing address at Town Hall Broadway and Union Roads Cheektowaga, New York 14227

("Purchaser"), for all of Conrail's right, title, and interest in and to two (2) parcels of land located southerly of William Street in the Town of Cheektowaga, Erie County, New York, as shown as Parcels A and Parcel B on plan marked Exhibit A,

(hereinafter called the "Premises") containing a total area of 17.35 acres more or less as shown on the plan dated May 29, 1985, Exhibit A attached hereto and made a part hereof. The Purchaser agrees that the purchase price is fixed without regard to the area of the land and such price shall not be reduced should a survey prove an area different than the aforesaid area.

Price 1. The purchase price for the Premises shall be \$ 46,655.00 of which ten percent (10%), or \$ 4,665.00 has this day been paid on account, the receipt whereof is hereby acknowledged, and the balance of \$ 41,990.00 shall be paid by Purchaser in cash, or by certified or title company check at the time of closing.

Possession 2. Possession of the Premises shall be delivered at closing by customary form of quitclaim deed without any covenants or warranties of title, express or implied (the "Deed"). The Deed shall contain the following covenants, and such additional covenants which may be set forth in any addendum to this Agreement:

"THIS INSTRUMENT is executed and delivered by Grantor, and is accepted by Grantee, subject to the covenants set forth below, which shall be deemed part of the consideration of this conveyance and which shall run with the land and be binding upon, and inure to the benefit of, the respective heirs, personal representatives, successors, and assigns of Grantor and Grantee. Grantee hereby knowingly, willingly, and voluntarily waives the benefit of any rule, law, custom, or statute of the State of New York now or hereafter in force with respect to the covenants set forth below.

1. Grantor shall neither be liable or obligated to construct or maintain any fence or similar structure between the land hereinbefore described and adjoining land of Grantor nor shall Grantor be liable or obligated to pay for any part of the cost or expense of constructing or maintaining any fence or similar structure, and Grantee hereby forever releases Grantor from any loss or damage, direct or consequential, that may be caused by or arise from the lack or failure to maintain any such fence or similar structure.

2. Grantee hereby forever releases Grantor from all liability for any loss or damage, direct or consequential, to the land hereinbefore described and to any buildings or improvements now or hereafter erected thereon, and to the contents thereof, which may be caused by or arise from the normal operation, maintenance, repair, or renewal of Grantor's railroad, or which may be caused by or arise from vibration resulting from the normal operation, maintenance, repair, or renewal thereof.

3. Grantee hereby forever releases Grantor from all liability for any loss or damage, direct or consequential, which may be caused by or arise from the sliding, shifting, or movement of any part of any adjoining embankment of Grantor, or by the drainage or seepage of water therefrom, upon or into the land hereinbefore described, or upon, under, or into anything which may be erected or placed thereon.

4. Grantor shall not be liable or obligated to provide lateral support for the surface of the land hereinbefore described, and Grantee waives the right to ask for, demand, recover, or receive any relief or compensation for any damage that may be caused by the sliding, shifting, or movement of any part of the slope or embankment supporting the surface of the land hereinbefore described. Grantee shall use due diligence to prevent the drainage or seepage of water, or the precipitation of snow or ice, or anything whatever, from the land hereinbefore described onto, under, or upon the remaining lands of Grantor.

5. Grantee shall indemnify and defend Grantor against, and hold Grantor harmless from, all claims, actions, proceedings, judgments and awards, for death, injury, loss, or damage to any person or property, brought by any person, firm, corporation, or governmental entity, caused by, resulting to, arising from, or in connection with, the active or passive effects or existence of any physical substance of any nature or character, on, under, or in the land, water, air, structures, fixtures, or personal property comprising the land hereinbefore described, from and after the date of delivery of this deed.

6. In the event the tracks or land of Grantor are elevated or depressed, or the grades of any streets, avenues, roads, lanes, highways, or alleys over such railroad in the vicinity of the land hereinbefore described are changed so that they shall pass overhead or underneath such tracks or land, or in the event any grade crossing is vacated and closed, Grantee forever releases Grantor from all liability for any loss or damage, direct or consequential, caused by or arising from the separation or change of grades of such railroad or such streets, avenues, roads, lanes, highways, or alleys, or from the vacating and closing of any grade crossing.

7. No right or means of ingress, egress, or passageway to or from the land hereinbefore described is hereby granted, expressly or by implication, and Grantor shall not be liable or obliged to provide or obtain for Grantee any such means of ingress, egress, or passageway."

Survey, Title Evidence, and Approvals 3. (a) Purchaser agrees to deliver to Conrail, within one hundred twenty (120) days following execution of this Agreement by Conrail, a survey and legal description of the Premises from a licensed or registered surveyor (or such survey as may be required by law for the recording of the Deed), a reproducible tracing of such survey, and a copy of a title commitment, report, or other opinion of title, if Purchaser elects to obtain same.

(b) Purchaser shall bear the cost and expense of obtaining such survey and description, and any title information which Purchaser desires. In the event that Conrail's senior management does not approve this transaction for any reason whatsoever, Conrail shall reimburse Purchaser only for its reasonable costs, without interest, of obtaining such survey and title information, which shall thereupon become the property of Conrail.

Improvements 4. If this transaction includes buildings, structures, or other improvements owned by Conrail, Purchaser agrees to take title to the same in their condition as of the date of closing, and subject to any violations of law or ordinances, whether or not such violations are officially recorded. Purchaser further understands and agrees that Conrail shall have no obligation to maintain such improvements in any condition, and Purchaser, as part of the consideration of this sale, waives the benefit of any rule, law, ordinance, or regulation requiring Conrail to do so.

RECEIVED

1986 OCT 10 PM 1:20

CHEEKTOWAGA

substantial

**Default**

5. In the event Purchaser shall fail or refuse to complete or perform any term, covenant, condition, agreement, provision, or stipulation under this Agreement, Conrail, at its option, may declare this Agreement terminated and void, and in such event Conrail shall be released from any obligation to convey the Premises, and Conrail may retain all monies paid on account as liquidated damages and not as a penalty.

**Closing**

6. Closing of this transaction shall take place within sixty (60) days after notification from Conrail that the Deed is prepared for delivery at a location mutually agreed upon in writing. In the event this transaction is not closed by such time ~~for any reason whatsoever~~, this Agreement shall be null and void, and Conrail shall have no further liability or obligation hereunder. *due to the fault of the Purchaser,*

**Apportionments**

7. Rents, real estate taxes, special and municipal assessments, water and sewer rents, other lienable charges, and interest on encumbrances (if assumed, or taken subject to, by Purchaser) shall be apportioned between Conrail and Purchaser as of the date of closing.

**Fees**

8. Conrail shall not be liable for a commission to any broker, agent, or finder; real estate transfer taxes; documentary, recording, survey, or title company fees; or any other closing costs in connection with this sale. Purchaser represents that it has not been introduced to Conrail or to the Premises by or through any broker. ~~Purchaser agrees to indemnify and defend Conrail against any claims for commission or fees. The terms of this paragraph 8 shall survive delivery of the Deed.~~

**Public Notices**

9. In the event any notice respecting the performance and the completion of work proposed and affecting the Premises, and having to do with the installation of curbing, sidewalk, paving, cartway, or street paving or other street improvements, or the installations of sewers, water, or lighting facilities is received by Conrail or Purchaser, or notice of confirmed special assessment is issued to Conrail or Purchaser in connection therewith, after the date in the heading of this Agreement, Purchaser agrees to be responsible for compliance with such notice or notices, and Purchaser shall pay for the work required or the assessment levied therefor.

**Title**

11. (a) Purchaser understands that the conveyance of the Premises by Conrail shall be made subject to any existing tenancies, easements, rights, agreements, covenants, and restrictions; to any pipes, wires, poles, cables, culverts, drainage courses or systems and their appurtenances now existing and remaining in, on, under, over, across, and through the Premises, together with the right to maintain, repair, renew, replace, use, and remove same; to all laws and ordinances, including but not limited to zoning or subdivision; and to any state of facts that an accurate survey or a prudent inspection of the Premises would disclose.

~~(b) In the event this transaction, or any part of it, requires the prior approval of any state public service or utility commission or similar agency, Purchaser hereby agrees to pay at closing all costs of Conrail in conjunction with obtaining such approval, including but not limited to, reasonable counsel fees.~~

**Assignment**

12. This Agreement may not be changed or terminated orally and all changes must be in a writing signed by Conrail and Purchaser. Each and every term, covenant, condition, agreement, provision, and stipulation of this Agreement shall be binding upon, and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of Conrail and Purchaser; provided that Purchaser shall not assign this Agreement without the prior consent of Conrail.

**Casualty Loss**

13. If the Premises contain improvements to be conveyed under this Agreement, material loss or damage thereto by fire or other casualty shall not void or impair any of the conditions of this Agreement, but Purchaser shall have the option to terminate this Agreement by notice to Conrail, whereupon Conrail shall return to Purchaser all monies paid on account of the purchase price after Purchaser has returned to Conrail all executed counterparts of this Agreement.

**Condemnation**

14. If the Premises, or any substantial portion thereof, or any interest therein, shall be affected by any exercise of the power of eminent domain, Conrail shall have the option to (a) terminate this Agreement whereupon Conrail shall return to Purchaser all monies paid on account of the purchase price after Purchaser has returned all executed counterparts of this Agreement to Conrail, or (b) enforce this Agreement and assign any award or agreed upon compensation to Purchaser.

**Notices**

15. Whenever in this Agreement notice or consent is requested, desired, or required to be given, same shall be given in writing and sent by certified United States mail, return receipt requested, to the parties whose names and addresses are set forth in the heading of this Agreement. Notice shall be effective when deposited in the United States mail and the only admissible evidence of such notice being given shall be a paid postal receipt therefor.

**No Representation**

16. All understandings and agreements heretofore between Conrail and Purchaser are merged into this Agreement which alone fully and completely expresses their intent. Purchaser represents that it has entered into this Agreement after full investigation, and not in reliance upon any statement or representation made by Conrail, its officers, agents, or employees, which is not embodied in this Agreement. Purchaser has inspected the Premises and is thoroughly acquainted with their condition.

**Violation of Law**

17. In the event the senior management of Conrail fails to approve this transaction, or in the event the conveyance on the terms herein provided would be contrary to any law, regulation, or order of governmental authority, then the sum paid on account will be refunded without interest to Purchaser, and Purchaser hereby agrees to accept same and to return all executed counterparts of this Agreement to Conrail, whereupon this Agreement shall be null and void and neither party hereto shall have any obligation to, or any claim whatever against, the other.

**Binding Contract**

18. ANYTHING HEREIN TO THE CONTRARY NOTWITHSTANDING, PURCHASER UNDERSTANDS AND AGREES THAT THIS AGREEMENT DOES NOT CONSTITUTE A BINDING CONTRACT OR IMPOSE ANY OBLIGATION ON CONRAIL, ITS SUCCESSORS OR ASSIGNS, OR ITS AGENTS, UNLESS AND UNTIL THIS TRANSACTION HAS RECEIVED THE APPROVAL OF CONRAIL'S SENIOR MANAGEMENT. PURCHASER SHALL HAVE NO LEGAL RIGHT TO RELY, OR TO ACT IN RELIANCE, UPON THIS AGREEMENT UNLESS AND UNTIL SUCH APPROVAL HAS BEEN COMMUNICATED IN WRITING BY THE MANAGER—REAL ESTATE.

**Definition**

19. As used in this agreement, "senior management" of Conrail shall mean, with respect to a total consideration not exceeding \$5,000, the assistant vice-president—real estate, and with respect to a total consideration in excess of \$5,000, the executive vice-president—finance and administration and the chairman of the board.

**Miscellaneous**

20. (a) The headings in this Agreement are for convenience only and shall not be construed as having any legal or factual intent.  
(b) It is understood and agreed that time shall be of the essence of this Agreement.  
(c) Formal tender of purchase money and executed deed is hereby waived.  
(d) This Agreement shall not be recorded or filed in any public office or place of record.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this Agreement the day and year first set forth above.

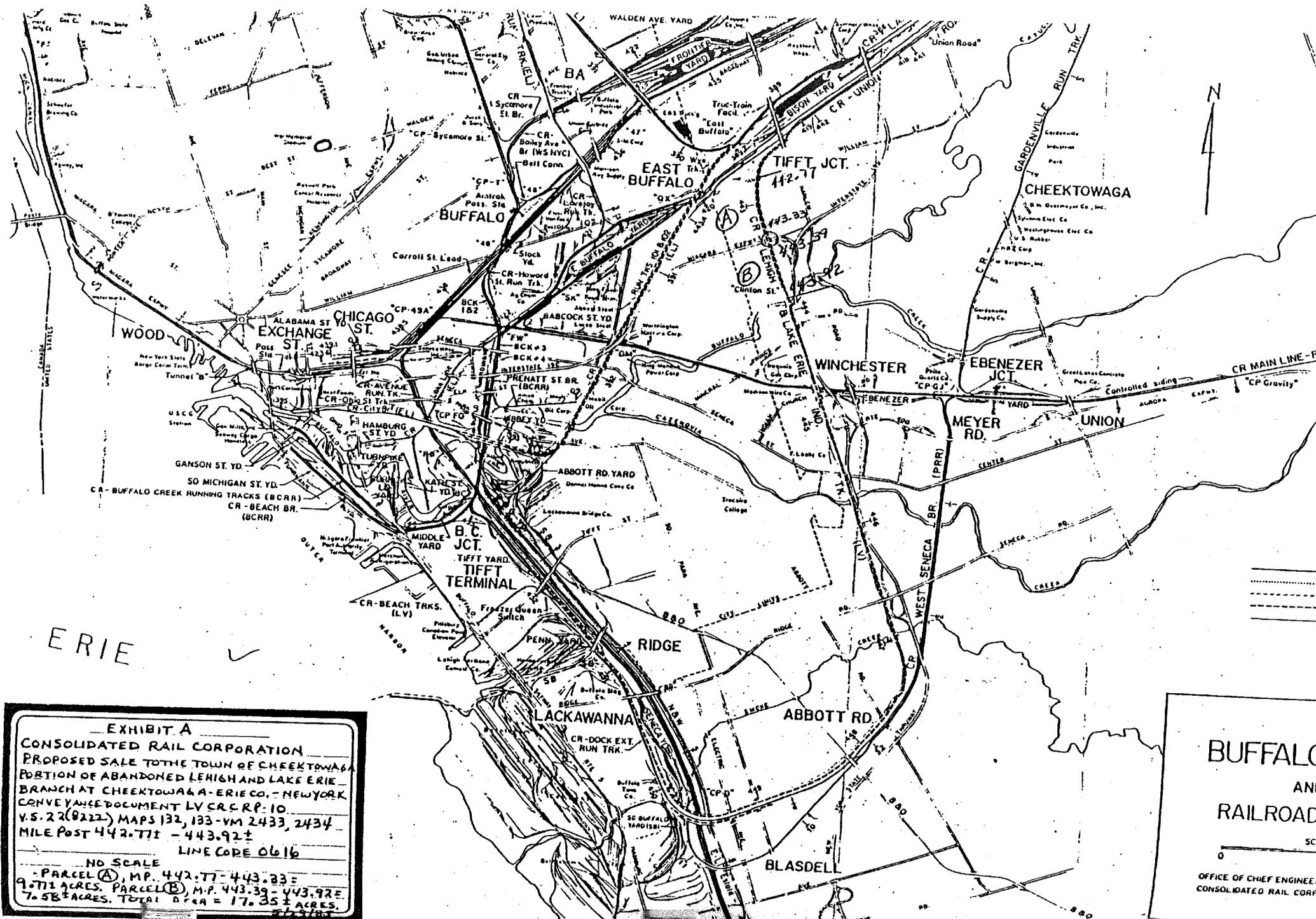
PURCHASER

21. See Exhibit B.  
22. See Exhibit B.

CONSOLIDATED RAIL CORPORATION

*[Signature]*

By: *[Signature]*  
MANAGER—REAL ESTATE



**EXHIBIT A**  
**CONSOLIDATED RAIL CORPORATION**  
 PROPOSED SALE TO THE TOWN OF CHEEKTOWAGA  
 PORTION OF ABANDONED LEHIGH AND LAKE ERIE  
 BRANCH AT CHEEKTOWAGA - ERIE CO. - NEW YORK  
 CONVEYANCE DOCUMENT LV CR CRP-10  
 V.S. 22 (8222) MAPS 132, 133 - VM 2433, 2434  
 MILE POST 442.77 - 443.92 ±  
 LINE CODE 0616  
 NO SCALE  
 - PARCEL A, M.P. 442.77 - 443.33 =  
 9.71 ± ACRES. PARCEL B, M.P. 443.39 - 443.92 ±  
 7.55 ± ACRES. TOTAL AREA = 17.26 ± ACRES.

**BUFFALO AND RAILROAD**  
 SCALE  
 0  
 OFFICE OF CHIEF ENGINEER  
 CONSOLIDATED RAIL CORP.

Additional Provisions to Agreement of Sale between Consolidated Rail Corporation and Town of Cheektowaga, forming part of this Agreement.

21. The parties hereto do not contemplate that Conrail shall (a) Operate its trains, cars and engines to or on the Property (or any portion thereof), (b) interchange traffic with Purchaser or its successors, (c) participate in any rail rate relationship with Purchaser, (d) establish or maintain a track connection with Purchaser, or (e) provide cars or car service to Purchaser. If Purchaser hereafter desires that Conrail do any of the foregoing, the parties agree that such activities shall be conducted only on such terms and conditions as the parties hereto may hereafter mutually agree upon in writing. The parties further agree that in respect to the matters referred to in items (a) through (e), above, Conrail shall not be called upon, or required, by Purchaser (or its successors, assigns, assignees, grantees, lessees, or licensees) to accept obligations in excess of those expressly assumed by Conrail by written agreement between the parties hereto.
22. "Excepting and reserving, however, unto the said Grantor, its successors and assigns, an easement to remove the bridge and bridge abutments located at Dingens Street, together with the right of immediate and unimpeded access thereto and therefrom for the removal of said bridge and bridge abutments, it being understood said easement shall terminate upon removal of said bridge and bridge abutments or three (3) years from the date of Recordation of this Indenture, whichever occurs sooner; it being further understood that upon termination of this right, then all rights and obligations with respect to said bridge and bridge abutments shall pass to Grantee".
- ~

MEETING NO. 8  
April 21, 1986

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

WHEREAS, the Western New York Loyalty Day Committee is sponsoring a Loyalty Day Parade on Sunday, May 4, 1986 at 2:00 P.M., and

WHEREAS, the parade route includes Clinton Street from the Buffalo City Line to Meadowbrook Parkway in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that for pedestrian and vehicular safety, the Chief of Police is hereby authorized to arrange for necessary traffic safety and escort services and to insure compliance with the Vehicle and Traffic Law.

Upon Roll Call....

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

\*\*\*\*\*

Motion by Councilman Kowal, Seconded by Councilman Johnson to suspend the rules to act on the following resolution.

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 W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that Town Prosecutor Dennis Ciotuszynski, be and hereby is terminated effective May 12, 1986.

Upon Roll Call....

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

Item No. 12 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

BE IT RESOLVED that Deputy Town Attorney Michael J. Stachowski be and hereby is assigned to prosecutorial duties in the Town Justice Court, effective May 12, 1986.

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 Motion by Councilman Gabryszak, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby terminated as Seasonal Employees in the various Departments as listed below:

Item No. 13 cont'd

SANITATION DEPARTMENT

EFFECTIVE DATE

Barberio, Lawrence	5/9/86
Bonitati, Anthony	5/16/86
Bratek, Michael	5/23/86
Kennuth, Ronald	5/16/86
Kozminski, Mark	5/16/86
Kubiak, Bob	5/9/86
Wieberg, John	5/23/86
Kwiatkowski, John	Immediately

SEWER MAINTENANCE DEPARTMENT

Latshaw, Robert	3/17/86
-----------------	---------

MAIN PUMP STATION

Donald Sobocinski	Immediately
David Kumpf	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. 14a Motion by Councilman Gabryszak, Seconded by Councilman Kowal

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

SANITATION DEPARTMENT - \$3.10 per hour

EFFECTIVE

Gregory Szafranski	Immediately
Thomas Chirico	4/14/86
Brian Kazmierczak	Immediately
David Kumpf	Immediately
Donald Sobocinski	Immediately
Mark Krieger	
Ronald Jennings	
Salvatore Iannello	

SEWER MAINTENANCE DEPARTMENT - \$3.35 per hour

James Kosobucki	4/22/86
-----------------	---------

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 W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of \$3.35 per hour as follows:

Item No. 14b cont'd

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

EFFECTIVE

Shawn Davies	Immediately
Leo Dominczak	retroactive to 4/16/86
Thomas Wertz	" " 4/10/86
Shawn Carlisle	4/21/86
Kevin Kumpf	4/21/86

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

Paul Glab	4/28/86
Timothy Szarpa	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. 15 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, the Town desires the services of a planning consultant in relation to its Community Development Block Grant Program, and

WHEREAS, a proposal for continuation of such services was received from Stuart Alexander and Associates in the amount of \$39,000, and

WHEREAS, said proposal provides for planning and technical assistance for activities carried out with Community Development funding received in the current as well as up-coming program year, and

WHEREAS, the Director of Community Development has reviewed said proposal and recommends its acceptance by the Town Board, NOW, THEREFORE, BE IT

RESOLVED that the firm of Stuart Alexander & Associates, 1152 Main Street, Buffalo, New York, 14209, be and hereby is retained to provide said professional planning and technical services for the Town's Community Development Block Grant Program for a fee not to exceed the sum of \$39,000, said fee to be paid with Community Development Block Grant funds, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed to sign all necessary contract documents on behalf of the Town with Stuart Alexander and Associates in relation to said professional planning services.

Upon Roll Call....

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

Item No. 16 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

WHEREAS, a Bond Anticipation Note closing will take place in New York City on Wednesday, April 23, 1986, and

WHEREAS, it is necessary that the Town Clerk, Richard M. Moleski, and the Supervising Accountant, William L. Wielinski attend such closing and deliver the Bond Anticipation Notes to New York City, NOW, THEREFORE, BE IT

RESOLVED that Richard M. Moleski and William L. Wielinski be and hereby are directed and authorized to attend said closing, and BE IT FURTHER

RESOLVED that their necessary and reasonable expenses be reimbursed by the Town.

MEETING NO. 8  
April 21, 1986

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 Councilman Johnson, Seconded by Councilman Kowal

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to install one wood pole with 12 ft. bracket and 5200 lumen high pressure sodium lamp on Standard Parkway in the Town of Cheektowaga at an annual increase in the General Lighting District of \$207.82, in accordance with the attached proposal which is hereby made a part of this resolution.

\* See next two (2) pages

Upon Roll Call....

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

RECEIVED

1986 APR 16 PM 12:02

CHEEKTOWAGA  
TOWN CLERK

STREET LIGHTING PROPOSAL  
TOWN OF CHEEKTOWAGA

Standard Parkway

Install - 1 - 5200 lumen HPS lamp(s) @ \$86.64 ea. = \$ 86.64

Poles/Standards P-20 L-450

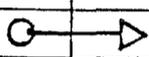
\* Install - 1 Wood Pole @ \$103.87 ea. = . . . . . \$103.87

Install - 1 - 12 ft. bracket @ \$17.31 ea. = . . . \$ 17.31

Poles/Standards P-20 L-450

\* New Wood Pole

TOTAL ANNUAL INCREASE/DECREASE \$207.82

P19 (Last Pole) 

STANDARD

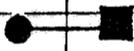
± 275'

PKWY

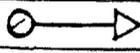
L-450

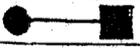
220

DAN'S COLLISION  
DAN PAWLOWSKI  
894-1403

P20 (New Pole) 

224

 EXISTING 7000 Lu. MV LIGHT

 PROPOSED 5200 Lu. NO EXIT

HIGH PRESSURE SODIUM  
LIGHT ON NEW POLE ↓

MEETING NO. 8  
April 21, 1986

Item No. 18 Motion by Supervisor Weber, Seconded by Councilman W. Rogowski

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

FEDERAL REVENUE SHARING FUND

From: Appropriated Fund Balance	\$ 63,000.00
To: Land Acquisition - Conrail Property	\$ 49,000.00
Land Acquisition - Volunteer Firemen's Park	14,000.00

GENERAL FUND

From: State Aid - Computer (Revenue)	\$ 50,000.00
Other Payments in Lieu of Taxes (Revenue)	65,000.00
Mortgage Tax (Revenue)	100,000.00
Appropriated Fund Balance	197,000.00
To: Computer Equipment - Police Department	\$ 70,000.00
Office Equipment - Town Clerk	3,000.00
Transfer to Capital Projects Fund-Highway Garage	55,000.00
Transfer to Capital Projects Fund-Stiglmeier Park Lake	150,000.00
Building Repairs - Highway (5132.4432)	25,000.00
Building Improvements-Handicapped Provisions (1625.4457)	109,000.00

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

Upon Roll Call....

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

Item No. 19 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 April 21st, 1986 are hereby approved and made a part hereof.

FUND	AMOUNT
GENERAL FUND	\$169,289.93
SPECIAL DISTRICT FUND	18,226.17
HIGHWAY FUND	16,597.46
TRUST AND AGENCY FUND	850.00
PART TOWN FUND	533.88
HUD-CDBG FUND	102,372.69
HUD RENTAL REHABILITATION FUND	5,000.00
CAPITAL FUND	5,515.94
	<u>\$318,386.07</u>

Upon Roll Call....

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

MEETING NO. 8  
April 21, 1986

II. FROM THE TABLE

Item No. 20 Determination and findings on acquisition of private property for access to Cheektowaga Volunteer Firemen's Memorial Park  
This item was withdrawn.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Office of Disaster Preparedness - Quarterly report  
Received and Filed.

Item No. 22 Cheektowaga Public Library - minutes of meeting of March  
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 23 N.Y.S. Dept. of Trans. - Designation of Restricted Highway - Cayuga Creek Road and South Henry Street  
Received and Filed.

Item No. 24a NOTICE OF CLAIM - William Sklener vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent.  
Received and Filed.

Item No. 24b NOTICE OF CLAIM - Paul Welch vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent.  
Received and Filed.

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

Item No. 24d NOTICE OF CLAIM - B & W Limited Partnership & James Welch, General Partner vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company.  
Received and Filed.

Item No. 25 Petition from residents of Creek Heights Drive and Creek Road  
Copies were sent to: Daniel E. Weber, Supervisor; Town Board.  
Received and Filed.

MEETING NO. 8  
April 21, 1986

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

WHEREAS, in order to facilitate access for emergency vehicles, school buses, refuse pickup and snowplowing, it has been recommended that the northerly portions of Dean Road and Hyland Avenue be connected, thereby eliminating the dead end status of such Town highways, and

WHEREAS, in a spirit of community cooperation, Calspan Corporation has agreed to donate the land necessary for the connecting of the north ends of Dean Road and Hyland Avenue to the Town of Cheektowaga, and

WHEREAS, this Town Board desires to proceed with the necessary construction of the Dean Road-Hyland Avenue connecting roadway, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to accept from Calspan Corporation the land necessary for connecting the northerly ends of Dean Road and Hyland Avenue, and BE IT FURTHER

RESOLVED that the Town Attorney, in conjunction with the Town Engineer, be and hereby is authorized to undertake any and all procedures necessary for the acquisition by the Town from Calspan Corporation the land necessary to connect the northerly ends of Dean Road and Hyland Avenue, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign any and all documents which may be necessary for acquiring the aforementioned property.

Upon Roll Call....

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

Item No. 27 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

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

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

WHEREAS, this Town Board desires to license such drivers/attendants, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of the EMS Board concerning the licensing of drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHER

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

\* See next page for 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

NAME OF DRIVER	Michael J. Graczyk
ADDRESS OF DRIVER	
CITY, STATE	Cheektowaga, New York
ZIPCODE	14225
DATE OF EXPIRATION	December 31, 1988
LICENSE NO.	143
EMPLOYER	Towns Ambulance Service
NAME OF DRIVER	Dawn Herlan
ADDRESS OF DRIVER	
CITY, STATE	Cheektowaga, New York
ZIPCODE	14211
DATE OF EXPIRATION	December 31, 1988
LICENSE NO.	144
EMPLOYER	Gold Cross Ambulance Service
NAME OF DRIVER	Leo Thomas Karr II
ADDRESS OF DRIVER	
CITY, STATE	Elma, New York
ZIPCODE	14059
DATE OF EXPIRATION	May 31, 1986
LICENSE NO.	145
EMPLOYER	Towns Ambulance Service
NAME OF DRIVER	Timothy J. McLaughlin
ADDRESS OF DRIVER	
CITY, STATE	Buffalo, New York
ZIPCODE	14215
DATE OF EXPIRATION	May 31, 1986
LICENSE NO.	146
EMPLOYER	Towns Ambulance Service
NAME OF DRIVER	John L. Scaduto, Jr.
ADDRESS OF DRIVER	
CITY, STATE	Buffalo, New York
ZIPCODE	14216
DATE OF EXPIRATION	December 31, 1987
LICENSE NO.	147
EMPLOYER	Towns Ambulance Service
NAME OF DRIVER	Garry Stelmach
ADDRESS OF DRIVER	
CITY, STATE	Lakeview, New York
ZIPCODE	14085
DATE OF EXPIRATION	May 31, 1987
LICENSE NO.	148
EMPLOYER	Gold Cross Ambulance Service
NAME OF DRIVER	Jeffrey P. Ziomek
ADDRESS OF DRIVER	
CITY, STATE	No. Tonawanda, New York
ZIPCODE	14120
DATE OF EXPIRATION	December 31, 1988
LICENSE NO.	149
EMPLOYER	Gold Cross Ambulance Service
NAME OF DRIVER	Robert M. Kelly
ADDRESS OF DRIVER	
CITY, STATE	Cheektowaga, New York
ZIPCODE	14227
DATE OF EXPIRATION	March 31, 1987
LICENSE NO.	150
EMPLOYER	Towns Ambulance Service
NAME OF DRIVER	Mark James Chmiel
ADDRESS OF DRIVER	
CITY, STATE	Tonawanda, New York
ZIPCODE	14223
DATE OF EXPIRATION	December 31, 1988
LICENSE NO.	151
EMPLOYER	Gold Cross Ambulance Service
NAME OF DRIVER	David Robert Ludwig
ADDRESS OF DRIVER	
CITY, STATE	East Amherst, New York
ZIPCODE	14051
DATE OF EXPIRATION	December 31, 1987
LICENSE NO.	152
EMPLOYER	Gold Cross Ambulance Service

MEETING NO. 8  
April 21, 1986

Item No. 28 Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, John R. Harrison, an employee in the Central Garage Department has applied for a Military Leave of Absence retroactive from April 21, 1986 through April 28, 1986 and his order to report for Military duty has been forwarded to the Town Clerk, and

WHEREAS, Section 242 of the Military Law of the State of New York, allows a military leave for the purpose of reporting for Military duty pursuant to an Order up to a period of six months, and

WHEREAS, said Section 242 of the Military Law also provided for the payment of the salary of such public employee for a period of thirty (30) days while on said, military leave duty, NOW, THEREFORE, BE IT

RESOLVED that John R. Harrison, an employee in the Central Garage is granted a military leave of absence retroactive from April 21, 1986 through April 28, 1986, and BE IT FURTHER

RESOLVED that John R. Harrison, be paid his salary or other compensation while on such military leave.

Upon Roll Call....

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

Item No. 29 Termination of Town Prosecutor  
See Page 10, after Item No. 11.

Item No. 30 Motion by Supervisor Weber, Seconded by Councilman Kowal  
to adjourn the meeting.

RICHARD M. MOLESKI  
Town Clerk

PUBLIC HEARING

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 9 May 5, 1986</u>	
2	Proposed Local Law No. 2 of the Year 1986 entitled "Vehicles, removal and Storage	1-2

R E S O L U T I O N S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 9 May 5, 1986</u>	
3	Decisions: a. Rezoning at 320 Losson Road b. Special Use Permit at 320 Losson Road	2 2-3
4	Terminations of: a. Crossing Guards b. Seasonal employees in Facilities Department	3 3-4
5	Termination and appointments in Youth Bureau Programs	4
6	Create position of Senior Clerk-Typist in Bldg. & Plmg. Department	4
7	Appointment of Clerk-Typist in Justice Court	4-5
8	Transfer of employees to positions of Sewer Maintenance Men	5
9	Hiring of seasonal employees in: a. Facilities Department b. Various Departments	5-6 6
10	Establish salary of two (2) part-time Recreation Attendants (Senior Citizens)	6
11	Estension of leave of absence for Police Matron	6-7
12	Memorandum of agreement between Town of Cheektowaga and Town of Cheektowaga Employees Association	7-8
13	Authorize Town Engineer to attend Air Pollution Control Assoc. symposium and N.Y. Water Pollution Control Assoc. Spring meeting	8
14	Urge N.Y.S. Dept. of Trans. to place Genesee St. and Dick Rd/Cayuga Rd. and Kensington Expressway intersection improvement on highest priority for implementation	8
15	Authorize Nussbaumer & Clarke, to proceed with survey and description for purchase of CONRAIL property on William Street	9
16	Authorize Supervisor to execute all agreements regarding improvements of East Delavan & Pine Ridge Road and French Rd & Azalea Drive	9
17	Accept agreement for provision of professional services for East Delavan & Pine Ridge Road and French Road & Azalea Drive traffic improvements	9
18	Amendment to development plan on rezoning at 2700 Union Road	10
19	Memorialize: a. Erie County Legislature regarding certain County Local Laws and time and manner of adopting annual County budget and other matters b. N.Y.S. Senate, Assembly and Governor to enact legislation granting tuition credits for cost of private school education c. N.Y.S. Senate and Assembly to amend County Tax Act regarding extending time for collection of unpaid taxes and request for support of taxpayers of Town of Cheektowaga for same	11 11 12-13
20	Approval of Community Development loan funds	14
21	Permission to close Ellicott Road from Broadway to east of Forks Fire District property during their annual Country Western Night and Chicken Barbecue in July	14-15
22	Proclaim May 11-17, 1986 as Police Week and May 15, 1986 as Peace Officers Memorial Day	15
23	Warrant List	15-18

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3	Call for public hearing for rezoning - 2460 Union Road	3
4	Award of Bid for Topsoil	3
5	NOTICE TO BIDDERS:	
	a. Bus transportation for summer camps for Developmentally disabled	4-5
	b. Construction of pond in Stiglmeierk Park	6
	c. Pressure Treated Lumber	6
	d. Rein Road Bridge Improvement Project	7-8
	e. Construction of new sidewalks & reconstruction of existing sidewalks	9-10
6	AUTHORIZATION FOR SUPERVISOR TO EXECUTE:	
	a. Agreement with Cheektowaga Central Board of Education re: use of Alexander Middle School	11
	b. "Release of All Claims" regarding damage done to ceiling and carpet at Cheektowaga Recreation Center	12
	c. Agreement with Camp Fire Council of Buffalo and Erie County	13
7	Petition N.Y.S. Dept. of Trans. to allocate moneys for removal of Old Union Road Bridge	14
8	Designation of Clean-up, Paint-up, Fix-up Week	14
9	Permission for E.C. Water Authority to install hydrants in Losson Green Estates Subdivision	14-15
10	Acceptance of proposal of Nussbaumer & Clarke, regarding connecting roadway between Dean and Hyland	15
11	Release of portion of Security Deposit to H.O.M. Development Corp., developer of Greenwood Village Subdivision	15-16
12	Commendation of Girl Scout	16
13	Authorization for CWS (Church World Service) and BAMB (Buffalo Area Metropolitan Ministries) to conduct CROP Walk	16-17
14	Authorization for self-funding for fire insurance on Town-owned passenger vehicles	17-18
15	Authorizzation for Kennel Club of Buffalo to use Stiglmeier Park for "Dog Show"	18
16	Waiver of Article 48-8 of Code of Town of Cheektowaga for Kennel Club of Buffalo for "Dog Show"	18-19
17	Clean-up of S.W. Corner of Transit and Madeira	19
18	Termination of seasonal employees in Facilities Department	19-20
19	HIRING OF SEASONAL AND/OR PART-TIME EMPLOYEES:	
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	b. Various Departments	20-21
	c. Town Justice Court	21-22
	d. Day Camp Program for Youth Bureau	22-23
	e. Trainee Supervisor for Cheektowaga Conservation Corps	23
20	Designation of individuals to EMS Board	23-24
21	Authorization for Highway Superintendent and Foreman to attend training course	24
22	Permission for N.Y.S. Electric & Gas to replace defective street lighting fixtures	24-25
23	Transfer of Funds	25
24	Warrant List	25

Meeting No. 11 June 2, 1986

2	Decision on Special Use Permit - 4900 Transit Road	1-4
3	CALL FOR PUBLIC HEARINGS:	
	a. Rezoning at 4760 Union Road	5

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
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	b. Rezoning at 870 Borden Road	6
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	d. Rezoning and Special Use Permit at 2009 William Street	8
	e. Amendment to Chapter 76 of Code of Town of Cheektowaga: Art. VIII "Stop & Yield Int." - MARYWOOD DRIVE, OLD STONE RD. & GARFIELD COURT	9-10
4	NOTICE TO BIDDERS:	
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	b. Office furniture for REcords Room in Police Department	12
5	Repeal Article XII of Chapter 76 of Code of Town of Cheektowaga and amend paragraph 3 of resolution of May 19, 1986 adopting Local Law No. 2 of 1986 entitled "Vehicles, Removal and Storage	13
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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of May, 1986 at 7:00 o'clock P.M., Eastern 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; Chester Bryan, Town Engineer; John Howlett, Lieutenant, Cheektowaga Police Department; James Kirisits, Town Attorney; Sam LaGreca, Employment and Training Director II; Robert Lis, Assistant Chief of Police; Ronald Marten, Building Inspector; Julia Reinstein, Town Historian; Michael Stachowski, Deputy Town Attorney; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; Bernard Wojtkowiak, Mayor of Sloan; and Ronald Zoeller, Foreman, Sanitation Department.

I. PUBLIC HEARING

Item No. 2

\*\*\*\*\*

Motion by Councilman Kowal Seconded unanimously to dispense with the reading of the text and particulars of the Public Hearing relating to the Removal and Storage of Vehicles 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

\*\*\*\*\*

This being the time and place advertised for a public hearing to consider the advisability of adopting Local Law No. 2 of the Year 1986 relating to Vehicles, Removal and Storage in 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 Local Law No. 2 being as follows:

\*SEE NEXT EIGHT (8) PAGES FOR COPY OF PROPOSED LOCAL LAW NO. 2 RELATING TO VEHICLES, REMOVAL AND STORAGE.

Chapter 78

VEHICLES, REMOVAL AND STORAGE

Section 78 -1. PURPOSE AND APPLICABILITY.

A. It is the purpose and intent of this local law to establish an orderly system for the safe and expeditious removal of disabled motor vehicles from the streets of the Town of Cheektowaga; to supervise and control the operation of towing businesses that are granted permission to tow for the Town of Cheektowaga Police Department; and to remove and dispose of vehicles abandoned on streets located in the Town of Cheektowaga.

B. The provisions of this Chapter shall not prohibit the driver or owner of a vehicle which needs towing service from contracting with any towing company of his own choice provided that:

1. the vehicle is not being towed by police order pursuant to an arrest, or a violation of law or statute, or for police investigation; and
2. the towing service contracted with has the ability to, and actually does, respond within a reasonable period of time, as determined by the police officer in charge at the scene, taking into consideration traffic conditions, and the safety and well-being of those affected by the situation.

C. Services provided by an authorized Town tower not specifically covered by this Chapter shall not be regulated by the Town of Cheektowaga and will be based solely on the contract which exists between the towing company and the driver/owner of the vehicle.

Section 78 -2. DEFINITIONS.

Abandoned Vehicle - a vehicle as defined in Section 1224 of the Vehicle and Traffic Law of the State of New York.

Accident - any incident or occurrence in which one or more motor vehicles come in contact with each other or any other object, thereby causing damage to or disabling a motor vehicle.

Authorized Invoice - an invoice approved by the Chief of Police of the Town of Cheektowaga which contains:

- a. the name, address and telephone number of an authorized Town tower;
- b. Master Card and Visa Card logo; and
- c. list of current towing charges of authorized Town tower.

Authorized Tow Truck - a specially-equipped vehicle designed for the towing or pushing of disabled vehicles and which is:

- a. at least a three-quarter-ton commercially-built "Wrecker Body";
- b. equipped as set forth in Section 78 -8 of this Chapter; and
- c. registered as a "hazard vehicle" with the New York State Department of Motor Vehicles.

Authorized Town Tower - a towing company which has been approved by the Town of Cheektowaga Chief of Police and Cheektowaga Town Board to tow vehicles on behalf of the Cheektowaga Police Department.

Chief of Police - the Chief of Police of the Town of Cheektowaga, or any other member of the Cheektowaga Police Department designated by the Chief of Police of the Town of Cheektowaga to perform duties under this Chapter.

Driver - a person who operates or drives or is in actual physical control of an authorized tow truck upon the highways located in the Town of Cheektowaga.

Heavy Tow Truck - an authorized tow truck having a winch and which is capable of lifting a minimum of 8,000 pounds boom weight.

Letter of Authorization - a document signed by the Chief of Police authorizing a towing company to provide service for the Town of Cheektowaga Police Department and which:

- a. is annually renewable;
- b. specifies all the terms an authorized Town tower must abide by; and
- c. may be rescinded by either party upon giving the other party 24 hours prior written notice.

Police Department - Town of Cheektowaga Police Department.

Towing - the carrying, lifting or moving of a single motor vehicle by another motor vehicle.

Town - Town of Cheektowaga

Town Board - Town Board of the Town of Cheektowaga.

#### Section 78 -3. WHEN VEHICLES TO BE TOWED

The Police Department may direct the removal of vehicles in the following circumstances:

- A. When any vehicle is parked or abandoned on any highway within the Town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned.
- B. When any vehicle is found unattended on any highway within the Town where said vehicle constitutes an obstruction to traffic.
- C. When any vehicle is parked or abandoned on any highway within the Town where stopping, standing or parking is prohibited.
- D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident upon a public highway or right-of-way.
- E. When any vehicle is parked on private property without the consent of the owner of such property.
- F. When the driver of such vehicle has been arrested and taken into custody, and the vehicle must be removed from the public highway, or from private property other than the driver's, or when the vehicle must be removed to insure the safety of the vehicle and its contents.

#### Section 78 -4. AUTHORIZATION REQUIRED.

No towing company shall be allowed to tow vehicles on behalf of the Police Department unless and until it has been approved by the Chief of Police and Town Board as an authorized Town tower in accordance with this Chapter.

#### Section 78 -5. DUTIES OF CHIEF OF POLICE.

The Chief of Police is hereby authorized to:

- A. Receive and review any and all applications filed with the Town by towing companies for permission to be designated as authorized Town towers;
- B. Recommend to the Town Board which towing companies should be designated as authorized Town towers;
- C. Determine the number of authorized Town towers which should be designated by the Town Board; and
- D. Determine the policy and procedure for all items pertaining to the towing of vehicles on behalf of the Police Department which are not addressed in other Sections of this Chapter.

Section 78 -6. APPLICATION FOR LETTER OF AUTHORIZATION.

A. An application for a letter of authorization shall be made upon forms made available by the Chief of Police. Such application shall include the following information:

1. Name, address and telephone number of business;
2. Owner of business, his address and telephone number;
3. Name, address and telephone number of contact person at business;
4. Location and size of storage area;
5. Hours storage area is supervised;
6. Height and type of construction of fence surrounding storage area;
7. Description of trucks and owners' names (including year, make, model, Vehicle Identification Number and N.Y.S. registration number);
8. Number of trucks available for towing;
9. Number, names, addresses and dates of birth of drivers available for tow trucks;
10. Flatbeds available;
11. Dollies available;
12. Certificate of Insurance for Liability/Property/Personal Injury Damage showing thereon limits of insurance, as prescribed by the Town Board;
13. Visa Card and MasterCard contracts (copies);
14. References;
15. Resume of business/towing experience and training;
16. Permission for Police Department to conduct criminal record check of owner(s) and driver(s). Waivers will be required to be signed by each owner and driver. Authorization will not be granted to an owner or driver who has been convicted of:
  - a. any felony;
  - b. any offense relating to the theft or dismantling of motor vehicles, insurance fraud or sex offenses; or
  - c. any series of convictions for traffic offenses that would indicate a pattern of disregard for vehicle safety.All fees required for record checks shall be paid by the applicant.
17. Permission shall be granted by the applicant for an on-site inspection of applicant's premises by the Chief of Police.

B. Term of Letter of Authorization

1. If a towing company is designated as an authorized Town tower, such firm will be issued a letter of authorization, which will expire one (1) year from the date of issuance. Reissuance of such letter of authorization will be based on the past performance of said towing company and on continued compliance with all the provisions of this Chapter.
2. The letter of authorization represents an agreement to provide towing service to the Police Department for one year. The Chief of Police may renew this letter annually without requiring a new application, or he may decline to renew the letter of authorization at his discretion.
3. Nothing in this Chapter shall prohibit a towing company from reapplying for designation as an authorized Town tower.

Section 78 -7. REQUIREMENTS TO BE AUTHORIZED TOWN TOWER.

A. A towing company must meet the following minimum requirements before it will be considered as an authorized Town tower:

1. The applicant's tow truck (s) must be equipped and licensed in accordance with Section 78 -8 of this Chapter;
2. All of the requirements of Section 78 -6 of this Chapter must be successfully met; an approved application must be received; and all information and data contained therein verified by the Chief of Police;
3. The proper and necessary insurance certificates must be obtained and submitted to the Chief of Police;
4. The applicant must own or lease a facility that complies with the provision of Section 78 -9 of this Chapter;
5. The facility and property must be at a location that is zoned properly for such type of business, and must comply with all laws of the Town, County of Erie and State of New York. Applicant must have received a "Certificate of Zoning Compliance" from the Town Building and Plumbing Inspector; and
6. The facility and property must be maintained in good repair and must be conducted in a manner that is not offensive to the community.

B. An authorized Town tower must also meet the following requirements:

1. Must provide rapid service (must respond within 30 minutes, except in emergencies, when immediate service is required);
2. Must have a storage lot as specified in Section 78 -9 of this Chapter.
3. There must be a building or other acceptable office facility on the storage site.
4. The office shall be staffed at the minimum at the following times:
  - a. Mondays through Fridays, from 9 a.m. to 5 p.m.; and
  - b. Saturdays and Sundays from 10 a.m. to 2 p.m.The telephone number(s) for 24-hour retrieval must be posted in a conspicuous place on the storage site.

5. Must have a business card printed, containing the address, phone numbers and fee schedule of the authorized Town tower;

6. Must maintain at least one (1) tow truck, as specified in Section 78 -9 of this Chapter.

7. Vehicles shall be subject to periodic inspection by the Chief of Police.

8. Rates charged shall not exceed the rates set forth in Section 78 -13 of this Chapter.

9. Must make provision in its fees for winching time and any extra trucks or employees required.

10. Shall be allowed to take vehicles only to designated area, unless authorized emergency storage is ordered by Chief of Police.

11. Towed vehicle must be towed only by assigned authorized Town tower (No surrogates allowed).

C. An authorized Town tower shall, as a condition to being designated as a authorized Town tower, agree to accept and abide by all of the terms of this Chapter.

Section 78 -8. EQUIPMENT REQUIRED.

Authorized Tow Trucks shall have the following minimum equipment on board at all times:

- A. Emergency amber lights, as defined in Section 375(41)(2) of the Vehicle and Traffic Law of the State of New York;
- B. Carbon dioxide or dry powder fire extinguisher with a minimum capacity of ten pounds;
- C. One dozen red railroad-type flares (30 minutes);
- D. Safety chains;
- E. Push bar;
- F. Shovel;
- G. Broom;
- H. Commercially-manufactured rigid tow bar with slings, or a commercially-manufactured wheel lift;
- I. Commercially-made lifting boom;
- J. A four-ton power winch equipped with 100 feet of three-eighths inch steel cable;
- K. 50 feet of additional cable or chain;
- L. Dolly with wheels;
- M. One pair of chains eight feet in length with "J" hooks and "T" hooks attached;
- N. Tow block (may use a four foot piece of a wooded four-by-four, if no wheel lift available);
- O. Scotch blocks;
- P. Trailer for motorcycles, All-Terrain-Vehicles, snowmobiles (a flatbed would satisfy this requirement);
- Q. Trucks must be clearly marked with the name, address and telephone number of the towing company in three-inch letters on both doors of the truck;
- R. Work lights directed to the rear of the vehicle to illuminate the area behind the tow truck; and
- S. If the Town requires two-way radio communication, authorized Town towers will equip all their trucks at their expense with designated radio equipment, as specified by the Chief of Police.

Section 78 -9. STORAGE OF TOWED VEHICLES.

- A. Any vehicle removed by an authorized Town tower shall be stored in a lot enclosed by a chainlink or stockage fence at least six feet in height. This fence must be maintained in good repair with no breaks or open areas. Vehicles may be stored in an enclosed building in lieu of a fenced lot.
- B. Exterior lighting of the vehicle storage area shall be required and shall be directed towards the vehicle storage area in a manner that is sufficient to light the entire area to allow all of the vehicles to be clearly seen during the hours of darkness. The lighting must not reflect or glare into adjoining residences or businesses. Lighting must be operational during the hours of darkness and must be kept in good working condition.
- C. Minimum storage capacity on the actual site of the business must be no less than fifteen (15) vehicles. The authorized Town tower must have alternate temporary storage available to him for an additional twenty-five (25) vehicles; such temporary storage must be approved by the Chief of Police and must be in a fenced and secure area.

D. Tower must maintain a security system acceptable to the Chief of Police in order to insure the security of the vehicles and their contents.

E. Any actual or suspected tampering with towed vehicles or any theft must be reported to the Chief of Police within twenty-four hours of the incident.

F. Towers must notify the Police Department of any vehicle they have in their possession for 72 hours without having been contacted by the owner/representative of the owner thereof. Towers will contact the Police Department during normal business hours, Mondays through Fridays, at the earliest possible time following the advent of the 72 hours.

G. Every tower shall provide a written list of all vehicles that have been in his possession in excess of seven calendar days. This list will be delivered to the Chief of Police on Monday mornings no later than 11 p.m. each week.

H. The Police Department/Town will assume ownership of all abandoned vehicles pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York.

I. Upon obtaining ownership of abandoned vehicles, said vehicles will be disposed of in accordance with Section 1224 of the Vehicle and Traffic Law of the State of New York. The tower may be directed to deliver such abandoned vehicles to a designated site. The tower will then be paid for such towing by Town voucher. No storage charges will be paid by the Town for abandoned vehicles.

J. Maximum fees to be paid by the Town for any abandoned vehicle impounded and disposed of by the Town shall be Fifty Dollars (\$50).

K. In no case will the amount paid to the tower exceed the salvage fee, or any other payment the Town has received.

Section 78 -10. REMOVAL OF TOWED VEHICLES.

A. The authorized Town tower shall, without delay, report to the Chief of Police the removal and disposition of any vehicle removed as provided in this Chapter.

B. Towers shall keep accurate and orderly records of all vehicles towed, in a manner prescribed by the Chief of Police.

Section 78 -11. RELEASE OF VEHICLES.

The Chief of Police will establish procedures, and shall disseminate standardized forms to be used for releasing all "impounded" vehicles.

Section 78 -12. TOWING ZONES.

A. The Chief of Police is hereby empowered to establish "Tow Zones" within sixty days from the effective date of this Chapter. The Town will thereafter be divided into two major sections, north and south, and eventually in smaller sections to insure the best towing coverage, response time and convenience for drivers claiming their vehicles. Once these zones are established, only that tower assigned to that zone will be allowed to tow vehicles within that zone.

B. During any highway emergency, such as snowstorms, floods, etc., the Chief of Police may suspend the boundary lines of these zones for the purpose of more efficient vehicle removal. The Chief of Police may not suspend these boundary lines for more than ten consecutive days without authorization from the Town Board.

Section 78-13. FEE SCHEDULE.

Authorized Town towers shall not charge more than the following fees for the following respective services:

A. Passenger Vehicles and Light Trucks.

1. Standard Tow (vehicles up to 10,000 pounds)	\$30.00
2. Flatbed	\$45.00
3. Additional Fees for Labor, Recovery and Towing:	
a. Truck and driver hourly rate	\$40.00
b. Dolly wheels	\$15.00
c. Trailer for motorcycle, all-terrain-vehicle/ cycle, snowmobile	\$10.00
d. Winching (per one-fourth hour)	\$10.00
4. Storage (per day)	\$ 6.00
5. Releasing vehicle after 5:00 P.M. weekdays, or other than required business hours on Saturdays, Sundays and Holidays	\$15.00

B. Heavy Trucks, Buses, Tractor-Trailers, Machinery.

1. Hook-Up and Tow Vehicle over 10,000 pounds	\$50.00
2. Additional Labor Fees for heavy vehicle recovery and towing:	
a. Air hook-up	\$10.00
b. Mechanically release brakes (per axle)	\$10.00
c. Drop trailer from tractor	\$12.00
d. Remove axle (per axle)	\$10.00
e. Remove drive shaft	\$25.00
f. Remove bumper	\$25.00
3. Trailer towed behind vehicle	\$25.00
4. Winching (hourly rate per truck)	\$75.00
5. Additional labor (hourly per person)	\$25.00
6. Flatbed (per hour)	\$65.00
7. Storage (per 24-hour day):	
a. Tractor, Trailer or Bus	\$10.00
b. Truck over 20 feet long	\$10.00

Section 78 -14. INSPECTIONS BY CHIEF OF POLICE.

A. Storage Area and Tow Trucks. Upon receipt of a properly completed application, the Chief of Police shall direct the application to be reviewed and an on-site inspection of the storage area and tow truck(s) be conducted by the Police Department to determine if the requirements as set forth in this Chapter are met. Within a reasonable time after completion of the review and inspection, the Chief of Police shall either recommend approval or denial of the application to the Town Board.

B. Periodic Inspections. The Chief of Police will make quarterly on-site inspections of each tower's operating base and storage area. During this inspection, all required records, forms, tow trucks, storage areas, lighting, security, tow truck equipment, etc. is subject to inspection. The result of this inspection will be made part of the towing company's permanent file.

C. Compliance. Towers will have 15 days to bring any deficiency noted during an inspection into compliance with the provisions of this Chapter. Failure to do so will be grounds for cancellation of the license of authorization.

Section 78 -15. MONTHLY AUDIT.

An authorized Town tower shall provide copies of their receipts to the Chief of Police on a monthly basis. This will be accomplished by providing the Chief of Police with copies of these receipts no later than the fourth day of every month. These receipts shall reflect all towing work done for the Police Department during the previous month.

Section 78 -16. REVOCAION OF LETTER OF AUTHORIZATION.

An authorized Town tower may be removed from service by the Chief of Police via the process of rescinding the letter of authorization prior to the annual expiration date for violating the provisions of the letter of authorization, this Chapter or for making materially false statements on the application for a letter of authorization.

Section 78-17. APPEAL AND HEARINGS.

In the event the Chief of Police refuses to renew; or revokes; or suspends a letter of authorization, the authorized Town tower shall have the right to appeal such refusal, revocation or suspension to the Town Board, in accordance with the following provisions:

A. Refusal, revocation or suspension of a letter of authorization shall be determined by the Town Board after a hearing held pursuant to the notification procedure listed in subdivisions B through D of this Section.

B. Whenever it shall be provided herein that a hearing shall be held, such hearing shall be held on a date and at a place and hour designated by the Town Board.

C. The Town Clerk of the Town of Cheektowaga shall give notice of any hearing to be held hereunder, stating the name and business address of the authorized Town tower concerned, the subject matter of the hearing; and the date, place and hour designated therefor, by mailing a copy of such notice to the tower concerned at the business address shown upon the most recent application of such tower at least ten (10) days prior to the date of such hearing.

D. At any hearing held for the refusal, revocation, suspension or removal of a tower from a list, such tower shall be entitled to be represented by legal counsel and to present testimony or other evidence in his own behalf, as may be relevant to the subject matter of the hearing.

Section 78-18. EFFECTIVE DATES.

Subdivision B.6. of Section 78-7 of this Chapter shall become effective on the first day of January, 1987. The remainder of this Chapter shall become effective on the first day of June, 1986.

Section 78-19. SEVERABILITY.

Should any section or provision of this Chapter be decided by any court to be unconstitutional or invalid, such decision shall not affect the validity of this Chapter as a whole or any part hereof other than the part so decided to be unconstitutional or invalid.

Item No. 2 Cont'd.

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

II. RESOLUTIONS

Item No. 3A Motion by Councilman Jaworowicz Seconded by Councilman W. Rogowski

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., have petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by them and located at 320 Losson 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 21st day of April, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. Proper berming and landscaping be provided so that this development is not visible from Losson Road;
2. Fencing and proper landscaping be provided to separate John C. Stiglmeier Park from this development; and
3. Strict compliance with the plot plan submitted.

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 Henry M. and Arlene Fronckowiak 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, BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN GABRYSZAK TO TABLE THE ABOVE RESOLUTION, 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

\*THE ABOVE RESOLUTION WAS TABLED!

Item No. 3B Motion by Councilman Jaworowicz Seconded by Councilman W. Rogowski

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., applied for a Special Permit for a mobile home park on property located at 320 Losson Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further

Item No. 3B Cont'd.

described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. Proper berming and landscaping be provided so that this development is not visible from Losson Road;
2. Fencing and proper landscaping be provided to separate John C. Stiglmeier Park from this development; and
3. Strict compliance with the plot plan submitted.

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 320 Losson 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 aforementioned conditions as recommended by the Cheektowaga Planning Board.

MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN GABRYSZAK TO TABLE THE ABOVE RESOLUTION, 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

\*THE ABOVE RESOLUTION WAS TABLED!

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

BE IT RESOLVED that the following individuals, hired as Crossing Guards in the Cheektowaga Police Department, be and hereby are terminated effective April 30, 1986:

Elvina Ledwin	Diane Dibble
Cheektowaga, NY	Depew, NY

Upon Roll Call....

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

Item No. 4B 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:

MEETING NO. 9  
May 5, 1986

Item No. 4B Cont'd.

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

	<u>Effective</u>
Fred Kaplan	4/23/86
John Barberio	5/26/86
Wayne Kowal	5/26/86
Joseph Trzaska	5/26/86

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

Anthony Belcer 5/26/86

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 W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that Noreen Boje, Arts and Crafts Director with the Adapted Recreation Program, be terminated effective April 10, 1986,

BE IT FURTHER RESOLVED that with the resignation of Noreen Boje, Christine Phillips be elevated to the position of Recreation Supervisor (Arts and Crafts Director) at \$5.00 per hour effective May 19th, 1986, and

BE IT FURTHER RESOLVED that Deborah Wojtkowski be elevated to the vacant position of Recreation Supervisor (Activities Coordinator) at the rate of \$5.50 per hour effective May 19th.

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 Kowal Seconded by Councilman Johnson

WHEREAS, the need exists in the Office of the Building & Plumbing Inspector to create the position of Senior Clerk-Typist, and

WHEREAS, the Building and Plumbing Inspector has requested that such position be created, NOW, THEREFORE, BE IT

RESOLVED that the position of Senior Clerk-Typist be and hereby is created in the Office of the Building & Plumbing Inspector, and BE IT FURTHER

RESOLVED that in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, the position of Senior Clerk-Typist in the Office of the Building & Plumbing Inspector be posted for a period of ten (10) working days.

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 Kowal Seconded by Councilman J. Rogowski

WHEREAS, the permanent position of Clerk-Typist (Split Shift) in the Justice Court was duly posted, and

WHEREAS, no Town employee bid on such job opening, and

MEETING NO. 9  
May 5, 1986

Item No. 7 Cont'd.

WHEREAS, eligibles on the current civil service list for Clerk-Typist were duly canvassed and interviewed, and

WHEREAS, Maureen V. Corkins of \_\_\_\_\_, Cheektowaga, New York appeared on such eligible list and has expressed her interest in such position, and

WHEREAS, the Town Justices have recommended that Maureen V. Corkins be appointed to the position of Clerk-Typist (Split Shift) in the Justice Court, NOW, THEREFORE, BE IT

RESOLVED that Maureen V. Corkins of \_\_\_\_\_, Cheektowaga, New York 14206 be and hereby is appointed to the position of Clerk-Typist (Split Shift) in the Justice Court, effective May 12, 1986, at a salary in accordance with the current collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 8 Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, there are three (3) vacancies in the Sewer Maintenance Department for the position of Sewer Maintenance Man due to recent retirements from that position, AND

WHEREAS, bids for said Sewer Maintenance Man positions have been received as a result of posting, NOW, THEREFORE, BE IT

RESOLVED that the following Town employees who applied for the positions of Sewer Maintenance Man be and hereby are transferred to said positions at the wage in accordance with the current bargaining agreement and with the appointment being effective on May 7, 1986.

Albert Bakowski  
Transfer from Facilities  
Norbert Rutkowski  
Transfer from Highway  
Richard A. Burst  
Transfer from Central 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. 9A 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 \$3.35 per hour as follows:

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

	<u>Effective</u>
David Wardzinski	5/05/86
Robert Kowal	5/05/86
David Lacki	5/12/86
Brian Ziembra	5/19/86

MEETING NO. 9  
May 5, 1986

Item No. 9A Cont'd.

BEACH & POOL - #01-007110-1-0-1623-001 at \$5.00 per hour

Walter Gardon

5/19/86

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 Gabryszak Seconded by Councilman Kowal

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>MAIN PUMP STATION - \$3.35 per hour</u>	
Sean McGee	5/05/86
<u>SANITATION DEPARTMENT - \$3.10 per hour</u>	
Mark Cywinski	4/28/86
Leonard Szymanski	4/29/86
Lawrence Barberio	5/12/86
Robert Kubiak	5/12/86
<u>CENTRAL GARAGE - Clerical - \$3.35 per hour</u>	
Lisa Pietrowski	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. 10 Motion by Councilman Gabryszak Seconded by Councilman Kowal

BE IT RESOLVED that the salaries of the two part-time Recreation Attendants (Senior Citizens) be and hereby are established at \$6,946, effective as of January 1, 1986.

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 Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, by resolution dated March 18, 1985, this Town Board granted Katherine Zydel an unpaid leave of absence from her position as police matron for a one year period beginning on May 7, 1985 and terminating on May 7, 1986, and

WHEREAS, Ms. Zydel has requested an extension of such leave of absence for an additional one year, and

WHEREAS, this Town Board is agreeable to granting such extension,  
NOW, THEREFORE, BE IT

RESOLVED that Katherine Zydel of \_\_\_\_\_, Cheektowaga, New York be and hereby is granted an additional one year unpaid leave of absence from her position as police matron, effective from May 7, 1986 to May 7, 1987.

MEETING NO. 9  
May 5, 1986

Item No. 11 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. 12 Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga and the Town of Cheektowaga Employees Association have agreed to amend the 1986-1988 collective bargaining agreement between such parties, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

\*SEE NEXT PAGE FOR COPY OF MEMORANDUM OF AGREEMENT.

MEMORANDUM OF AGREEMENT  
BETWEEN  
THE TOWN OF CHEEKTOWAGA  
AND  
THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

1986 MAY -7 PM 2:40  
C...  
P...

It is hereby agreed between the Board and the Association that the 1986-1988 collective bargaining agreement between such parties shall be amended as follows:

1. APPENDIX "D" - TOWN OF CHEEKTOWAGA, NEW YORK WAGE SCHEDULE-1986-WHITE COLLAR SHALL BE AMENDED AS FOLLOWS:

January 1, 1986 - December 31, 1986

<u>Classification</u>	(4) 2 Years
Junior Engineer	\$30,000.00

2. APPENDIX "E" - TOWN OF CHEEKTOWAGA, NEW YORK WAGE SCHEDULE-1987-WHITE COLLAR SHALL BE AMENDED AS FOLLOWS:

January 1, 1987 - December 31, 1987

<u>Classification</u>	(4) 2 Years
Junior Engineer	\$31,500.00

3. APPENDIX "F" - TOWN OF CHEEKTOWAGA, NEW YORK WAGE SCHEDULE-1988-WHITE COLLAR SHALL BE AMENDED AS FOLLOWS:

January 1, 1988 - December 31, 1988

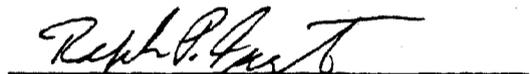
<u>Classification</u>	(4) 2 Years
Junior Engineer	\$33,075.00

It is also agreed between such parties that the aforesaid amendments shall be effective as of May 5, 1986 and shall not be retroactive.

TOWN OF CHEEKTOWAGA

TOWN OF CHEEKTOWAGA  
EMPLOYEES ASSOCIATION

  
Daniel E. Weber, Supervisor



Dated: May 5, 1986

MEETING NO. 9  
May 5, 1986

Item No. 12 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. 13 Motion by Councilman J. Rogowski Seconded by Councilman Johnson

WHEREAS, the Air Pollution Control Association is conducting a one-day symposium on Indoor Air Quality in Niagara Falls and the New York Water Pollution Control Association is holding a spring meeting at Bolton Landing, New York, AND

WHEREAS, the Town Engineer, a member of said associations has requested authorization to attend said meetings which are relevant to Town air quality and wastewater handling matters with funds having been budgeted for such meetings, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is authorized to attend said Air Pollution Control Association Symposium in Niagara Falls, New York on May 14, 1986 and the Water Pollution Control Meeting on June 8 - 11, 1986 at Bolton Landing, New York, AND, BE IT FURTHER

RESOLVED that the Town shall reimburse the Town Engineer for the registration fees and all reasonable expenses including hotel accommodations and transportation costs incurred in attending said conferences, AND, BE IT FURTHER

RESOLVED that the registration fees and other expenses shall be paid out of the Sewer District #5 Budget Item 508125.4087.

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 Johnson Seconded by Councilman Gabryszak

WHEREAS, the Town Traffic Safety Commission and motorists using the Genesee Street and Dick Road/Cayuga Road intersection have expressed their concerns to this Town Board about the safety hazards and resultant accidents occurring at said intersection involving a State Highway and the Kensington Expressway access road, AND

WHEREAS, the Transportation Systems Management Study under the direction of the New York State Department of Transportation included the investigation of the Genesee Street and Dick Road/Cayuga Road intersection under the Dick Road-Cayuga Road Corridor Improvements Study, and

WHEREAS, the Transportation Systems Management Study suggests traffic signal and roadway improvement recommendations that were approved by the N.Y.S.D.O.T. and which improvements when implemented should provide for the motoring public's safety and also improve traffic flow through the Genesee Street and Dick Road/Cayuga Road and Kensington Expressway intersection, NOW, THEREFORE, BE IT

RESOLVED that this Town Board urges Mr. Donald H. Ketchum P.E., Regional Director of the N.Y.S.D.O.T. to place the said Genesee Street and Dick Road/Cayuga Road and Kensington Expressway intersection improvement recommendations on his highest departmental priority for implementation.

Upon Roll Call....

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

MEETING NO. 9  
May 5, 1986

Item No. 15 Motion by Councilman Johnson Seconded by Councilman Kowal

WHEREAS, this Town Board authorized the execution of an Agreement with Conrail for the purchase of an abandoned railroad right-of-way from William Street south to the Buffalo River, and

WHEREAS, said Agreement requires that the Town submit to Conrail a legal property survey and description of the property being transferred to the Town, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. dated September 30, 1985 as sent to the Town Engineer to furnish the Town of Cheektowaga with a legal property survey and description be and hereby is accepted, AND, BE IT FURTHER

RESOLVED that this resolution shall constitute authorization for Nussbaumer & Clarke, Inc. to proceed with the survey and description for said Conrail property, AND, BE IT FURTHER

RESOLVED that the \$4,100 cost of the survey and description is to be charged to Federal Revenue Sharing.

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 Gabryszak

WHEREAS, a project for improvement of E. Delavan Avenue & Pine Ridge Road and French Road & Azalea Drive, Town of Cheektowaga funded under the Federal-Aid Highway Program as provided for by the appropriate sections of Title 23 U.S. Code calls for state or local participation, and

WHEREAS, the Town of Cheektowaga desires to advance the project which is not, or portions of which are not, on the State Highway System by authorizing the municipality to provide the preliminary engineering and/or right-of-way incidental work, including final design of the project, or portions of the project, not on the State Highway System, NOW, THEREFORE, BE IT

RESOLVED that it be understood that this statement in no way diminished the Town of Cheektowaga's rights under present procedures to review and comment on specific stages of the project, AND, BE IT FURTHER

RESOLVED that it is understood that the Town of Cheektowaga shall provide 6% of the non-federal share of the cost of construction of the subject project or portions of the subject project that are not on the State Highway System, estimated to be \$13,740 before such construction can be authorized, AND, BE IT FURTHER

RESOLVED that the Town Board hereby authorizes the Town of Cheektowaga to provide the preliminary engineering and/or right-of-way incidental work, including the final design of the subject project or portions of the subject project that are not on the State Highway System, AND, BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and is hereby authorized to execute all necessary agreements on behalf of the Town of Cheektowaga with the New York State Department of Transportation approving of the above-subject project and providing for the Municipality's participation in the cost of the local share of the subject project, at a total cost for design, right-of-way acquisition and construction not to exceed \$20,500.

Upon Roll Call....

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

MEETING NO. 9  
May 5, 1986

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

WHEREAS, this Town Board is entering into an agreement with the New York State Department of Transportation for traffic improvements at French Road & Azalea Drive and E. Delavan Avenue & Pine Ridge Road, AND

WHEREAS, said agreement permits the Town to provide the necessary survey and design work as its local share in order to expedite work on these projects, AND

WHEREAS, EMS Consulting has been approved by the New York State Department of Transportation as qualified to perform the survey and design work for the French Road & Azalea Drive and E. Delavan Avenue & Pine Ridge Road traffic improvements, NOW, THEREFORE, BE IT

RESOLVED that the agreement to provide the necessary professional services for the French Road & Azalea Drive and E. Delavan Avenue & Pine Ridge Road traffic improvements as submitted to the Town by EMS Consulting is accepted and approved, AND, BE IT FURTHER

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

RESOLVED that the cost of \$20,500 for said professional services shall be charged to the Town Traffic Improvement Budget 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. 18 Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, by resolutions dated December 16, 1985, this Town Board agreed to rezone property located at 2700 Union Road and owned by William G. Kenyon from RC-Restricted Business District to CM-General Commercial District and to grant such petitioner a special use permit to use such property for a mini-mart, gasoline station and laundromat, and

WHEREAS, pursuant to Section 82.71 of the Code of the Town of Cheektowaga, William G. Kenyon requested permission to amend his development plan for such property to replace the proposed laundromat with a video rental, sales and service outlet, and

WHEREAS, the Cheektowaga Planning Board has reviewed Mr. Kenyon's request and has stated that it has no objection to such development plan amendment provided that the video outlet is limited to the retail sale, rental and service of video and related equipment and that no installation of same be allowed on the premises, and

WHEREAS, this Town Board is in agreement with the findings of the Cheektowaga Planning Board and also finds that the proposed development plan amendment is substantially in agreement with the intent of the rezoning and special use permit granted on December 16, 1985, NOW, THEREFORE, BE IT

RESOLVED that the aforesaid amendment to the development plan for 2700 Union Road be and hereby is approved, subject to the aforementioned 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

MEETING NO. 9  
May 5, 1986

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

BE IT RESOLVED that the Town Board of the Town of Cheektowaga hereby memorializes the Erie County Legislature to support the following legislation which has been introduced and presented to said Legislature for adoption:

1. Televised Proceedings of the Erie County Legislature.
2. Movement of Local Laws.
3. Local Law amending Article XVIII of Erie County Local Law No. 1-1958, as amended, constituting the Erie County Charter - Section 1803 Adoption of Budget.
4. Local Law amending Erie County Local Law No. 1-1959, as amended, constituting the Erie County Charter by adding to Article II thereof a new Section 202.3 fixing a procedure for increasing the salary of county legislators.

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 Gabryszak Seconded by Councilman Johnson

WHEREAS, Assembly Bill No. 8076 and Senate Bill No. 3200-B are currently pending in the New York State Legislature, and

WHEREAS, such bills would establish tuition tax credits for parents of private-school students, and

WHEREAS, under such bills, parents with taxable incomes under \$40,000 would be eligible for either a \$20 credit on the short New York State Tax Form; or a deduction from their federal adjustable gross income in the amounts of \$650 (for each dependent attending grades kindergarten through eight) and \$1,000 (for each dependent attending grades nine through twelve), and

WHEREAS, the education of the citizenry is one of the foundations of a strong society, and quality education is dependent upon a healthy elementary and secondary school system, both public and private, and

WHEREAS, private schools provide an educational alternative to public schools, and

WHEREAS, the aforementioned bills would relieve the financial burden of parents in meeting the rising costs of non-public education so freedom of choice is truly available, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Assembly, Senate and Governor to enact Assembly Bill No. 8076 and Senate Bill No. 3200-B, and BE IT FURTHER

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

Upon Roll Call....

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

MEETING NO. 9  
May 5, 1986

Item No. 19C Motion by Councilman W. Rogowski Seconded by Councilman Jaworowicz

WHEREAS, Joan E. Dudek, Receiver of Taxes and Assessments for the Town of Cheektowaga, acts as collecting officer for County and Town real property taxes, and

WHEREAS, historically, the County of Erie has granted the Town permission to collect County taxes until June 30th of each year, and

WHEREAS, last year, the Commissioner of Finance of the County of Erie notified the Town that it would no longer grant such extension to the towns in Erie County and will only allow such towns to collect County taxes until May 1st of each year, and

WHEREAS, under the County's new proposal, every taxpayer who pays his taxes in cash or in person after the May 1st deadline will be required to do so at the Rath Building in downtown Buffalo, thereby inconveniencing such taxpayers, and

WHEREAS, under the County's new proposed deadline, towns in Erie County will each lose about \$20,000 in penalty income per year, and

WHEREAS, there are presently bills in both the State Senate (S.7161) and Assembly (A.8605) which would amend the Erie County Tax Act in relation to extending the time for collection of taxes remaining unpaid in certain cities and towns within Erie County, and

WHEREAS, these bills would require the Commissioner of Finance of Erie County, upon the written application of the Supervisor of any Erie County town, to extend the time for collection of property taxes from May 1st to June 30th in any year, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Senate and Assembly to proceed with the above-referenced Senate and Assembly bills to amend Section 6-14.0 of the Erie County Tax Act, and BE IT FURTHER

RESOLVED that the taxpayers of Cheektowaga be and hereby are requested to join the Town in its support of the aforementioned Senate and Assembly bills by executing the attached petition and sending it to the Assembly Ways and Means Committee and the Senate Local Governments Committee, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice in the CHEEKTOWAGA TIMES and METRO COMMUNITY NEWS, and BE IT FURTHER

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

\*SEE NEXT PAGE FOR COPY OF NOTICE

NOTICE

TO ALL PROPERTY OWNERS IN ERIE COUNTY WHETHER YOU OR YOUR BANK HANDLES THE PAYMENT OF YOUR COUNTY TAXES.

FIGHT BACK

DON'T ALLOW THE COUNTY TO TAKE AWAY THE SERVICES YOU HAVE HISTORICALLY ENJOYED AND CAUSE OUR TOWN TO LOSE UPWARDS OF \$20,000 ANNUALLY.

CLIP AND MAIL PROMPTLY

-----  
TO: ALL MEMBERS ASSEMBLY WAYS & MEANS COMMITTEE AND SENATE LOCAL GOVERNMENT COMMITTEE.

I, (we) the undersigned property owners in Erie County request your support of Assembly Bill #8605, Senate Bill #7161 allowing towns to collect County and Town taxes until June 30th each year. Please vote to approve this legislation.

I, (we) are against the County taking over collection on April 30th. It is our hard-earned tax dollars and should stay in our town.

Further, we do not want the inconvenience of traveling to the Rath Building to pay taxes after April 30th.

NAME	ADDRESS	TOWN-STATE	ZIP
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

-----  
SUPPORT YOUR TAX RECEIVER IN HER FIGHT TO CONTINUE COLLECTING TAXES UNTIL JUNE 30TH EACH YEAR.

SEND TO - ALL MEMBERS  
ASSEMBLY WAYS & MEANS COMMITTEE  
c/o ARTHUR J. KREMER, CHAIRMAN  
ROOM 923, LEGISLATIVE OFFICE BUILDING  
ALBANY, NY 12248

ALL MEMBERS  
SENATE LOCAL GOVERNMENT COMMITTEE  
c/o CHARLES COOK, CHAIRMAN  
902 LEGISLATIVE OFFICE BUILDING  
ALBANY, NY 12247

OR DELIVER TO - JOAN E. DUDEK, RECEIVER OF TAXES, CHEEKTOWAGA TOWN HALL, WHERE THEY WILL BE MAILED IN BULK TO THE COMMITTEES.

MEETING NO. 9  
May 5, 1986

Item No. 19C Cont'd.

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 AFFIDAVITS OF PUBLICATION.

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

*Linda M. Hous*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... *May 8, 1986* ..... ;  
last publication..... *May 8, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Hous*

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

day of *May* ....., 19.. *86*

*Lawrence J. Budzilo*

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

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

**NOTICE**

To all property owners in Erie County whether you or your bank handles the payment of your county taxes

**FIGHT BACK**

Don't allow the county to take away the services you have historically enjoyed and cause our town to lose upwards of \$20,000 annually

**CLIP AND MAIL PROMPTLY**

-----  
**TO: ALL MEMBERS ASSEMBLY WAYS & MEANS COMMITTEE AND SENATE LOCAL GOVERNMENT COMMITTEE**

I, (we) the undersigned property owners in Erie County request your support of Assembly Bill #8605, Senate Bill #7161 allowing towns to collect County and Town taxes until June 30th each year. Please vote to approve this legislation.

I, (we) are against the County taking over collection on April 30th. It is our hard-earned tax dollars and should stay in our town.

Further, we do not want the inconvenience of traveling to the Rath Building to pay taxes after April 30th.

NAME	ADDRESS	TOWN—STATE	ZIP

-----  
**SUPPORT YOUR TAX RECIEVER IN HER FIGHT TO CONTINUE COLLECTING TAXES UNTIL JUNE 30TH EACH YEAR.**

**SEND TO —**  
ALL MEMBERS  
ASSEMBLY WAYS & MEANS COMMITTEE  
c/o ARTHUR J. KREMER, CHAIRMAN  
ROOM 923, LEGISLATIVE OFFICE BUILDING  
ALBANY, NY 12248

ALL MEMBERS  
SENATE LOCAL GOVERNMENT COMMITTEE  
c/o CHARLES COOK, CHAIRMAN  
902 LEGISLATIVE OFFICE BUILDING  
ALBANY, NY 12247

**OR DELIVER TO —** JOAN E. DUDEK, RECEIVER OF TAXES, CHEEKTOWAGA TOWN HALL, WHERE THEY WILL BE MAILED IN BULK TO THE COMMITTEES.

many additional years before a standard emerges. The price of cassettes will remain high until one does.

\*\*\*  
The Statue of Liberty (Vestron Video; 1985; 60 min.) is an Academy Award-nominated documentary which details the statue's background and history through rare photos, drawings, blueprints, paintings and historic film footage. The film also focuses upon the statue's contemporary significance. Playwright Arthur Miller, director Milos Forman (Amadeus), author Jerzy Kosinski, singer Ray Charles, and many others took part in the production of this tribute to our country's most recognizable symbol.

\*\*\*  
The Journey of Natty Gann, a critically acclaimed 1985 feature.

Million Dollar Duck, a great Disney comedy.

Return from Witch Mountain and Almost Angels, a pair of adventures for the whole family.

Horse Without A Head and The Littlest Horse Thelms, two thrilling dramas to keep viewers on the edge of their seats.

Scandalous John, an off-beat horse opera, and—

Two vintage westerns derived from successful Disney TV series—Texas John Slaughter, Bronimo's Revenge and Big Game Law.

## AFFIDAVIT OF PUBLICATION

State of New York,  
County of Erie ss.:

Richard A. Maussner

being duly sworn, deposes and says that he/she is the

President and Publisher

of Metro Community News

a weekly newspaper published in 24 contiguous editions covering 321,000 households in

Erie & Niagara

County,

State of New York and that a notice of which the annexed is a true copy was published in said newspaper on the following dates:

May 13, 1986 NSD

(date) (edition(s))

(date) (edition(s))

(date) (edition(s))

Sign (X) [Signature]  
(Authorized Signature)

Sworn to before me, this 14th day of

May, 1986

[Signature]  
JUDY A. BALDUF  
Notary Public State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1987

No. 10



MEETING NO. 9  
May 5, 1986

Item No. 20 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:

123 White Road	-	\$4686.00
334 Terrace Blvd.	-	\$ 886.00
35 Bonita Drive	-	\$3011.00
770 Cayuga Creek Road	-	\$5450.00

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. 21 Motion by Councilman Johnson Seconded by Councilman J. Rogowski

WHEREAS, on Saturday, July 19, 1986 and Sunday, July 20, 1986, Forks Hose Co. No. 2 will be holding its Country-Western Night and Annual Chicken Barbeque on its property located at 3300 Broadway in the Town, and

WHEREAS, Forks Hose Co. No. 2 has requested the Town's permission to block off Ellicott Road from its intersection with Broadway to a point just east of Forks Fire District property from Friday, July 18, 1986 to Monday, July 21, 1986 for such events, and

WHEREAS, Forks Hose Co. No. 2 has also requested permission to erect a tent on Ellicott Road temporarily for its July 19, 1986 function, NOW, THEREFORE, BE IT

RESOLVED that the Town Superintendent of Highways be and hereby is directed to block off Ellicott Road from its intersection with Broadway to a point just east of the Forks Fire District property from Friday, July 18, 1986 at 5:00 P.M. to Monday, July 21, 1986 at 12:00 P.M. in order to allow Forks Hose Co. No. 2 to hold its requested events, and BE IT FURTHER

RESOLVED that the Town Superintendent of Highways be and hereby is also directed to provide the necessary detour signs for vehicular traffic for such blocking of Ellicott Road.

MEETING NO. 9  
May 5, 1986

Item No. 21 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. 22 Motion by Councilman Jaworowicz Seconded by Supervisor Weber

WHEREAS, the Congress and President of the United States have designated May 15th, 1986 as Peace Officers Memorial Day, and the week of May 11th - 17th, 1986 as Police Week, and

WHEREAS, members of the Town of Cheektowaga Police Department play an essential role in safeguarding the rights and freedoms of all citizens, and

WHEREAS, this Town Board feels it is important that all citizens know and understand the duties, responsibilities and problems faced by police officers, and

WHEREAS, this Town Board also feels that it is important that police officers recognize their duty to serve all our citizens by protecting them against violence, crime, oppression and intimidation, and

WHEREAS, the Cheektowaga Police Department has grown and become a modern and professional law enforcement agency which unceasingly provides a vital public service, NOW, THEREFORE, BE IT

PROCLAIMED that the week of May 11th - May 17th, 1986 shall be observed as Police Week in the Town of Cheektowaga, in honor of police officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered dedicated service to their communities by preserving the rights and liberties of all citizens, and BE IT FURTHER

PROCLAIMED, that Thursday, May 15, 1986 shall be observed as Peace Officers Memorial Day in the Town of Cheektowaga in honor of those peace officers who, through their courageous deeds, lost their lives or were disabled in the performance of duty, and BE IT FURTHER

PROCLAIMED that all citizens of the Town of Cheektowaga be and hereby are called upon to help the Town of Cheektowaga and other communities in observing Police Week and Peace Officers Memorial Day by displaying their flags during the week of May 11th - 17th , 1986.

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

BE IT RESOLVED that the following vouchers and warrants submitted to the Town of Cheektowaga prior to May 5, 1986 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$137,403.41
SPECIAL DISTRICTS FUND	125,335.49
HIGHWAY FUND	34,774.58
FEDERAL REVENUE SHARING FUND	46,645.00
TRUST AND AGENCY FUND	1,043.97
PART TOWN FUND	7,937.40
CAPITAL FUND	603.79
HUD-CDBG FUND	4,254.32
HUD REHABILITATION FUND	15,000.00
	<u>\$372,997.96</u>

MEETING NO. 9  
May 5, 1986

Item No. 23 Cont'd.

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 Decision on Rezoning: Various parcels of Losson Road

Motion by Councilman Jaworowicz Seconded by Councilman Johnson

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 5th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MEETING NO. 9  
May 5, 1986

Item No. 24 Cont'd.

MOTION BY COUNCILMAN JAWOROWICZ, SECONDED BY COUNCILMAN J. ROGOWSKI TO TABLE THE ABOVE RESOLUTION 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

\*THE ABOVE RESOLUTION WAS TABLED!

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 25 Building Permits.  
Received and filed.

Item No. 26 Cheektowaga Planning Board: Minutes of March, 1986 meeting.  
Received and filed.

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

V. GENERAL COMMUNICATIONS

Item No. 28 New York State Department of Transportation: Designation of  
Restricted Highway: Portion of Transit Road from Broadway to George  
Urban Boulevard.  
Copies of this notice were sent to: Daniel E. Weber, Supervisor;  
Karen McAuley, Council Secretary; Alfred Wnek, Highway  
Superintendent; Leonard J. Smolarek, Chief of Police; and Cheektowaga  
Traffic Safety Commission.  
Received and filed.

Item No. 29A Town of Concord: Resolution memorializing N.Y.S. Senate and Assembly  
to pass legislation placing burden of lost tax revenue (from veterans  
exemptions) on state instead of local governments.  
Received and filed.

Item No. 29B Town of Concord: Resolution opposing any support of an extension of  
8% County Sales Tax.  
Received and filed.

Item No. 30A Notice of Claim: Kathleen M. McHale vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,  
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,  
Accounting Department; Alfred Wnek, Highway Superintendent; Leonard J.  
Smolarek, Chief of Police; and Joseph Naples, Town's Insurance  
Carrier.  
Received and filed.

Item No. 30B Notice of Claim: Janice Erhardt vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,  
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,  
Accounting Department; Sewer Maintenance Department; and Laverack &  
Haines, Town's Insurance Carrier.  
Received and filed.

MEETING NO. 9  
May 5, 1986

Item No. 30C Notice of Claim: State Farm Automobile Insurance Co. vs. Town of Cheektowaga.  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; James Matecki, Foreman, Facilities Department; and Joseph Naples, Town's Insurance Carrier.  
Received and filed.

\*\*\*\*\*

Motion by Supervisor Weber Seconded by Councilman J. Rogowski to suspend the rules to include the following three (3) items, 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

\*\*\*\*\*

VI. SUSPENSION OF RULES

Item No. 31 Memorialize Erie County Department of Public Works, Division of Highways to repave French Road and certain portions of Como Park Boulevard.

Motion by Supervisor Weber Seconded by Councilman J. Rogowski

WHEREAS, French Road and Como Park Boulevard are County highways located in the Town of Cheektowaga, and

WHEREAS, French Road and those portions of Como Park Boulevard from Union Road east to Rowley Road and from Honorine Drive east to Transit Road are in poor condition, hazardous and in desperate need of repaving, and

WHEREAS, it has been a long time since the County has repaved these highways, and

WHEREAS, this Town Board, in the interests of public safety, is desirous of having the County Department of Public Works, Division of Highways, repave such roadways, NOW, THEREFORE, BE IT

RESOLVED that the County of Erie and the Erie County Department of Public Works, Division of Highways, be and hereby are memorialized to repave French Road and those portions of Como Park Boulevard mentioned above as expeditiously as possible, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Erie County Legislature and to the Erie County Department of Public Works, Division 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. 32 Authorize Deputy Town Attorney to bid on foreclosure proceeding - Maryvale Drive.

Motion by Councilman Johnson Seconded by Councilman Kowal

WHEREAS, the County of Erie, in a tax foreclosure proceeding scheduled

MEETING NO. 9  
May 5, 1986

Item No. 32 Cont'd.

for May 14, 1986, will be offering certain parcels of land situate in the Town of Cheektowaga for sale to the highest bidder, and

WHEREAS, the Town Engineering Department has indicated that one of these parcels, as indicated and described below, is needed for drainage and other engineering purposes for the benefit of the Town, and

WHEREAS, this Town Board is in agreement with the Town Engineering Department, NOW, THEREFORE, BE IT

RESOLVED that Kevin G. Schenk, Deputy Town Attorney, be and hereby is authorized and directed to appear at the county tax foreclosure proceeding scheduled for May 14, 1986 at 4:00 P.M. to bid on the following described parcel, at a price not to exceed \$500:

<u>S.B.L.#</u>	<u>PROPERTY DESCRIPTION</u>
92.09-3-1	Maryvale Drive - N. 60' X 391' (Creek)

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 Notice to Bidders: Sludge Removal from Digester #5

Motion by Councilman J. Rogowski Seconded by Councilman W. Rogowski

WHEREAS, wastewater treatment was discontinued by the Town in July 1982 at what was then identified as Wastewater Treatment Plant #5, and

WHEREAS, there is sludge contained in the digesters of the Old Treatment Plant, which sludge must be removed, and

WHEREAS, Plant #5 personnel have been trying to pump said sludge out but do not have the specialized equipment needed for its removal, and

WHEREAS, the Town Engineer advises this Town Board that it would be most effective and economical to remove the sludge by bidding out to contractors equipped for such specialized work, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be and hereby is directed to publish a Notice to Bidders in connection with said sludge removal from Digester #5, notice to be published in THE CHEEKTOWAGA TIMES and THE BUFFALO NEWS, and, BE IT FURTHER

RESOLVED that sealed bids will be received on the 21st day of May 1986 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall, and, BE IT FURTHER

RESOLVED that funding for said work shall be taken from Plant No. 5 Account Nos. 548135.4542 (Digester Cleaning) and 548135.4547 (Sludge Removal), which funds have been budgeted for that purpose.

\*SEE NEXT PAGE FOR COPY OF NOTICE TO BIDDERS.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 21, 1986 at 11:00 A.M., Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road for Sludge Removal from a digester at the former Waste-water Treatment Plant #5 in the Town of Cheektowaga, New York.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of 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: May 5, 1986

MEETING NO. 9  
May 5, 1986

Item No. 33 Cont'd.

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 AFFIDAVITS OF PUBLICATION.

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**NOTICE TO BIDDERS**  
Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 21, 1986 at 11:00 A.M., Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road for Sludge Removal from a digester at the former Wastewater Treatment Plant #5 in the Town of Cheektowaga, New York.  
Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall.  
The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town or reject any or all bids.  
Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of 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: May 3, 1986

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that s he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein ~~once~~ ~~xxxxxxxxxxxxxxxx~~ ~~xxxx~~ first insertion being on the 9th day of May 19 86 ~~and the last insertion being on the xxxxxxxx day~~

~~xxxxxxxxxxxxxxxx~~  
D. Eileen Perry

Sworn to before me this 9th day of May 19 86

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 19 87  
Notary Public, Erie County, N.Y.

No. 10

No. 11

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

*Linda G. Ross*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication *May 8, 1986* ;  
last publication *May 8, 1986* ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Ross*  
1986

Sworn to before me this .....

day of *May*, 19 *86*

*Lawrence J. Buglio*

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

LAWRENCE J. BUGLIO  
Notary Public in and for Erie County, N. Y.  
Qualified in this County  
My Commission Expires March 22, 19 *87*

**LEGAL NOTICE  
TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 21, 1986 at 11:00 A.M., Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road for Sludge Removal from a digester at the former Waste Water Treatment Plant #5 in the Town of Cheektowaga, New York.

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

The Town Board reserves the right to consider informal bids not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any formalities, and 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 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: May 5, 1986

PUBLISH: May 8, 1986

No. 10

No. 11

MEETING NO. 9  
May 5, 1986

Item No. 34 Motion by Supervisor Weber Seconded by Councilman J. Rogowski to adjourn the meeting in memory of Henry Ksiezarczyk (Stoner), Planning Board Member and Democratic Committeeman from the 56th District.

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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 May, 1986 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; Alfred Wnek, Highway Superintendent; Chester Bryan, Town Engineer; Pat Wojcik, Recreation Director-Senior Citizens; Ron Marten, Building and Plumbing Inspector; Don Wegner, Zoning Board Chairman; Richard Slisz, E.C. Legislator; Sal LaGreca, Employment and Program Director II; Michael Miecznikowski, Recreation Director.

### I. RESOLUTIONS

Item No. 2 Motion by Councilman Jaworowicz, Seconded by Councilman J. Rogowski

WHEREAS, Cheektowaga Police Department personnel recommended that this Town Board adopt a comprehensive local law governing the safe and expeditious removal and storage of abandoned, disabled and certain unattended motor vehicles in the Town of Cheektowaga, and

WHEREAS, the Cheektowaga Police Department personnel, in conjunction with the Town Attorney's Office, drafted Local Law No. 2 of the Year 1986, entitled "A Local Law relating to VEHICLES, REMOVAL AND STORAGE", and

WHEREAS, a public hearing on said proposed Local Law was duly held by the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 5th day of May, 1986 at 7:00 o'clock P.M., at which time and place all parties in interest and citizens had an opportunity to be heard, and

WHEREAS, this Town Board is interested in enacting such Local Law and in repealing Article XII of Chapter 76 of the Code of the Town of Cheektowaga relating to the removal and storage of vehicles, for the benefit of the residents of the Town, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 2 of the Year 1986, entitled "A Local Law Relating to VEHICLES, REMOVAL AND STORAGE", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED that, within five (5) days of its adoption, the Town Clerk file one (1) certified copy of this Local Law in his office, one (1) certified copy with the State Comptroller, and four (4) certified copies with the secretary of State, and BE IT FURTHER

RESOLVED that this Local Law No. 1 of the Year 1986 shall take effect, after filing with the Secretary of State, on June 1, 1986, except that Section 78-7 thereof shall not become effective until January 1, 1987.

Item No. 2 cont'd

Upon Roll Call....

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

\* See next eleven (11) pages for copy of Local Law #2

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
~~City~~ of Cheektowaga  
Town  
~~Village~~

Local Law No. 2 of the year 19 86

A local law relating to "VEHICLES, REMOVAL AND STORAGE"  
(Insert title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of Cheektowaga as follows:  
Town  
~~Village~~

Local Law No. 2 of the Year 1986 is attached hereto as Pages 4 through 11 of this document.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. ....2..... of 1986...  
~~XXXXXX~~  
of the ~~XXXXX~~ Town of Cheektowaga..... was duly passed by the .....Town Board of the Town of Cheektowaga.....  
~~XXXXXX~~ (Name of Legislative Body)  
on ..... May 19, ..... 19 86 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,\* or repassage after disapproval.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
City  
of the Town of ..... was duly passed by the ..... (Name of Legislative Body)  
Village  
on ..... 19..... and was approved ..... by the ..... Elective Chief Executive Officer \*  
not disapproved  
repassed after disapproval  
and was deemed duly adopted on ..... 19....., in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
City  
of the Town of ..... was duly passed by the ..... (Name of Legislative Body)  
Village  
on ..... 19..... and was approved ..... by the ..... Elective Chief Executive Officer \*  
not disapproved  
repassed after disapproval  
on ..... 19..... Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on ..... 19....., in accordance with the appli-  
annual  
cable provisions of law.~~

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
City  
of the Town of ..... was duly passed by the ..... (Name of Legislative Body) on  
Village  
..... 19..... and was approved ..... by the ..... on  
not disapproved  
repassed after disapproval  
..... 19..... Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
..... 19....., in accordance with the applicable provisions of law.~~

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on ..... 19 ..... became operative.~~

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. .... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... 1 ..... above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: May 19, 1986

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

.....  
Signature  
..... Town Attorney .....  
Title

Date: May 19, 1986

~~XXXXXX~~  
~~XXXX~~ of Cheektowaga  
Town  
~~XXXXXX~~

Chapter 78

VEHICLES, REMOVAL AND STORAGE

Section 78 -1. PURPOSE AND APPLICABILITY.

A. It is the purpose and intent of this local law to establish an orderly system for the safe and expeditious removal of disabled motor vehicles from the streets of the Town of Cheektowaga; to supervise and control the operation of towing businesses that are granted permission to tow for the Town of Cheektowaga Police Department; and to remove and dispose of vehicles abandoned on streets located in the Town of Cheektowaga.

B. The provisions of this Chapter shall not prohibit the driver or owner of a vehicle which needs towing service from contracting with any towing company of his own choice provided that:

1. the vehicle is not being towed by police order pursuant to an arrest, or a violation of law or statute, or for police investigation; and
2. the towing service contracted with has the ability to, and actually does, respond within a reasonable period of time, as determined by the police officer in charge at the scene, taking into consideration traffic conditions, and the safety and well-being of those affected by the situation.

C. Services provided by an authorized Town tower not specifically covered by this Chapter shall not be regulated by the Town of Cheektowaga and will be based solely on the contract which exists between the towing company and the driver/owner of the vehicle.

Section 78 -2. DEFINITIONS.

Abandoned Vehicle - a vehicle as defined in Section 1224 of the Vehicle and Traffic Law of the State of New York.

Accident - any incident or occurrence in which one or more motor vehicles come in contact with each other or any other object, thereby causing damage to or disabling a motor vehicle.

Authorized Invoice - an invoice approved by the Chief of Police of the Town of Cheektowaga which contains:

- a. the name, address and telephone number of an authorized Town tower;
- b. Master Card and Visa Card logo; and
- c. list of current towing charges of authorized Town tower.

Authorized Tow Truck - a specially-equipped vehicle designed for the towing or pushing of disabled vehicles and which is:

- a. at least a three-quarter-ton commercially-built "Wrecker Body";
- b. equipped as set forth in Section 78 -8 of this Chapter; and
- c. registered as a "hazard vehicle" with the New York State Department of Motor Vehicles.

Authorized Town Tower - a towing company which has been approved by the Town of Cheektowaga Chief of Police and Cheektowaga Town Board to tow vehicles on behalf of the Cheektowaga Police Department.

Chief of Police - the Chief of Police of the Town of Cheektowaga, or any other member of the Cheektowaga Police Department designated by the Chief of Police of the Town of Cheektowaga to perform duties under this Chapter.

Driver - a person who operates or drives or is in actual physical control of an authorized tow truck upon the highways located in the Town of Cheektowaga.

Heavy Tow Truck - an authorized tow truck having a winch and which is capable of lifting a minimum of 8,000 pounds boom weight.

Letter of Authorization - a document signed by the Chief of Police authorizing a towing company to provide service for the Town of Cheektowaga Police Department and which:

- a. is annually renewable;
- b. specifies all the terms an authorized Town tower must abide by; and
- c. may be rescinded by either party upon giving the other party 24 hours prior written notice.

Police Department - Town of Cheektowaga Police Department.

Towing - the carrying, lifting or moving of a single motor vehicle by another motor vehicle.

Town - Town of Cheektowaga

Town Board - Town Board of the Town of Cheektowaga.

#### Section 78 -3. WHEN VEHICLES TO BE TOWED

The Police Department may direct the removal of vehicles in the following circumstances:

- A. When any vehicle is parked or abandoned on any highway within the Town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned.
- B. When any vehicle is found unattended on any highway within the Town where said vehicle constitutes an obstruction to traffic.
- C. When any vehicle is parked or abandoned on any highway within the Town where stopping, standing or parking is prohibited.
- D. When any vehicle is disabled and rendered inoperable as a result of any collision or accident upon a public highway or right-of-way.
- E. When any vehicle is parked on private property without the consent of the owner of such property.
- F. When the driver of such vehicle has been arrested and taken into custody, and the vehicle must be removed from the public highway, or from private property other than the driver's, or when the vehicle must be removed to insure the safety of the vehicle and its contents.

#### Section 78 -4. AUTHORIZATION REQUIRED.

No towing company shall be allowed to tow vehicles on behalf of the Police Department unless and until it has been approved by the Chief of Police and Town Board as an authorized Town tower in accordance with this Chapter.

#### Section 78 -5. DUTIES OF CHIEF OF POLICE.

The Chief of Police is hereby authorized to:

- A. Receive and review any and all applications filed with the Town by towing companies for permission to be designated as authorized Town towers;
- B. Recommend to the Town Board which towing companies should be designated as authorized Town towers;
- C. Determine the number of authorized Town towers which should be designated by the Town Board; and
- D. Determine the policy and procedure for all items pertaining to the towing of vehicles on behalf of the Police Department which are not addressed in other Sections of this Chapter.

Section 78 -6. APPLICATION FOR LETTER OF AUTHORIZATION.

A. An application for a letter of authorization shall be made upon forms made available by the Chief of Police. Such application shall include the following information:

1. Name, address and telephone number of business;
2. Owner of business, his address and telephone number;
3. Name, address and telephone number of contact person at business;
4. Location and size of storage area;
5. Hours storage area is supervised;
6. Height and type of construction of fence surrounding storage area;
7. Description of trucks and owners' names (including year, make, model, Vehicle Identification Number and N.Y.S. registration number);
8. Number of trucks available for towing;
9. Number, names, addresses and dates of birth of drivers available for tow trucks;
10. Flatbeds available;
11. Dollies available;
12. Certificate of Insurance for Liability/Property/Personal Injury Damage showing thereon limits of insurance, as prescribed by the Town Board;
13. Visa Card and MasterCard contracts (copies);
14. References;
15. Resume of business/towing experience and training;
16. Permission for Police Department to conduct criminal record check of owner(s) and driver(s). Waivers will be required to be signed by each owner and driver. Authorization will not be granted to an owner or driver who has been convicted of:
  - a. any felony;
  - b. any offense relating to the theft or dismantling of motor vehicles, insurance fraud or sex offenses; or
  - c. any series of convictions for traffic offenses that would indicate a pattern of disregard for vehicle safety.All fees required for record checks shall be paid by the applicant.
17. Permission shall be granted by the applicant for an on-site inspection of applicant's premises by the Chief of Police.

B. Term of Letter of Authorization

1. If a towing company is designated as an authorized Town tower, such firm will be issued a letter of authorization, which will expire one (1) year from the date of issuance. Reissuance of such letter of authorization will be based on the past performance of said towing company and on continued compliance with all the provisions of this Chapter.
2. The letter of authorization represents an agreement to provide towing service to the Police Department for one year. The Chief of Police may renew this letter annually without requiring a new application, or he may decline to renew the letter of authorization at his discretion.
3. Nothing in this Chapter shall prohibit a towing company from reapplying for designation as an authorized Town tower.

Section 78 -7. REQUIREMENTS TO BE AUTHORIZED TOWN TOWER.

A. A towing company must meet the following minimum requirements before it will be considered as an authorized Town tower:

1. The applicant's tow truck (s) must be equipped and licensed in accordance with Section 78 -8 of this Chapter;
2. All of the requirements of Section 78 -6 of this Chapter must be successfully met; an approved application must be received; and all information and data contained therein verified by the Chief of Police;
3. The proper and necessary insurance certificates must be obtained and submitted to the Chief of Police;
4. The applicant must own or lease a facility that complies with the provision of Section 78 -9 of this Chapter;
5. The facility and property must be at a location that is zoned properly for such type of business, and must comply with all laws of the Town, County of Erie and State of New York. Applicant must have received a "Certificate of Zoning Compliance" from the Town Building and Plumbing Inspector; and
6. The facility and property must be maintained in good repair and must be conducted in a manner that is not offensive to the community.

B. An authorized Town tower must also meet the following requirements:

1. Must provide rapid service (must respond within 30 minutes, except in emergencies, when immediate service is required);
2. Must have a storage lot as specified in Section 78 -9 of this Chapter.
3. There must be a building or other acceptable office facility on the storage site.
4. The office shall be staffed at the minimum at the following times:
  - a. Mondays through Fridays, from 9 a.m. to 5 p.m.; and
  - b. Saturdays and Sundays from 10 a.m. to 2 p.m.The telephone number(s) for 24-hour retrieval must be posted in a conspicuous place on the storage site.
5. Must have a business card printed, containing the address, phone numbers and fee schedule of the authorized Town tower;
6. Must maintain at least one (1) tow truck, as specified in Section 78 -9 of this Chapter.
7. Vehicles shall be subject to periodic inspection by the Chief of Police.
8. Rates charged shall not exceed the rates set forth in Section 78 -13 of this Chapter.
9. Must make provision in its fees for winching time and any extra trucks or employees required.
10. Shall be allowed to take vehicles only to designated area, unless authorized emergency storage is ordered by Chief of Police.
11. Towed vehicle must be towed only by assigned authorized Town tower (No surrogates allowed).

C. An authorized Town tower shall, as a condition to being designated as a authorized Town tower, agree to accept and abide by all of the terms of this Chapter.

Section 78 -8. EQUIPMENT REQUIRED.

Authorized Tow Trucks shall have the following minimum equipment on board at all times:

- A. Emergency amber lights, as defined in Section 375(41)(2) of the Vehicle and Traffic Law of the State of New York;
- B. Carbon dioxide or dry powder fire extinguisher with a minimum capacity of ten pounds;
- C. One dozen red railroad-type flares (30 minutes);
- D. Safety chains;
- E. Push bar;
- F. Shovel;
- G. Broom;
- H. Commercially-manufactured rigid tow bar with slings, or a commercially-manufactured wheel lift;
- I. Commercially-made lifting boom;
- J. A four-ton power winch equipped with 100 feet of three-eighths inch steel cable;
- K. 50 feet of additional cable or chain;
- L. Dolly with wheels;
- M. One pair of chains eight feet in length with "J" hooks and "T" hooks attached;
- N. Tow block (may use a four foot piece of a wooded four-by-four, if no wheel lift available);
- O. Scotch blocks;
- P. Trailer for motorcycles, All-Terrain-Vehicles, snowmobiles (a flatbed would satisfy this requirement);
- Q. Trucks must be clearly marked with the name, address and telephone number of the towing company in three-inch letters on both doors of the truck;
- R. Work lights directed to the rear of the vehicle to illuminate the area behind the tow truck; and
- S. If the Town requires two-way radio communication, authorized Town towers will equip all their trucks at their expense with designated radio equipment, as specified by the Chief of Police.

Section 78 -9. STORAGE OF TOWED VEHICLES.

- A. Any vehicle removed by an authorized Town tower shall be stored in a lot enclosed by a chainlink or stockage fence at least six feet in height. This fence must be maintained in good repair with no breaks or open areas. Vehicles may be stored in an enclosed building in lieu of a fenced lot.
- B. Exterior lighting of the vehicle storage area shall be required and shall be directed towards the vehicle storage area in a manner that is sufficient to light the entire area to allow all of the vehicles to be clearly seen during the hours of darkness. The lighting must not reflect or glare into adjoining residences or businesses. Lighting must be operational during the hours of darkness and must be kept in good working condition.
- C. Minimum storage capacity on the actual site of the business must be no less than fifteen (15) vehicles. The authorized Town tower must have alternate temporary storage available to him for an additional twenty-five (25) vehicles; such temporary storage must be approved by the Chief of Police and must be in a fenced and secure area.

D. Tower must maintain a security system acceptable to the Chief of Police in order to insure the security of the vehicles and their contents.

E. Any actual or suspected tampering with towed vehicles or any theft must be reported to the Chief of Police within twenty-four hours of the incident.

F. Towers must notify the Police Department of any vehicle they have in their possession for 72 hours without having been contacted by the owner/representative of the owner thereof. Towers will contact the Police Department during normal business hours, Mondays through Fridays, at the earliest possible time following the advent of the 72 hours.

G. Every tower shall provide a written list of all vehicles that have been in his possession in excess of seven calendar days. This list will be delivered to the Chief of Police on Monday mornings no later than 11 p.m. each week.

H. The Police Department/Town will assume ownership of all abandoned vehicles pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York.

I. Upon obtaining ownership of abandoned vehicles, said vehicles will be disposed of in accordance with Section 1224 of the Vehicle and Traffic Law of the State of New York. The tower may be directed to deliver such abandoned vehicles to a designated site. The tower will then be paid for such towing by Town voucher. No storage charges will be paid by the Town for abandoned vehicles.

J. Maximum fees to be paid by the Town for any abandoned vehicle impounded and disposed of by the Town shall be Fifty Dollars (\$50).

K. In no case will the amount paid to the tower exceed the salvage fee, or any other payment the Town has received.

Section 78 -10. REMOVAL OF TOWED VEHICLES.

A. The authorized Town tower shall, without delay, report to the Chief of Police the removal and disposition of any vehicle removed as provided in this Chapter.

B. Towers shall keep accurate and orderly records of all vehicles towed, in a manner prescribed by the Chief of Police.

Section 78 -11. RELEASE OF VEHICLES.

The Chief of Police will establish procedures, and shall disseminate standardized forms to be used for releasing all "impounded" vehicles.

Section 78 -12. TOWING ZONES.

A. The Chief of Police is hereby empowered to establish "Tow Zones" within sixty days from the effective date of this Chapter. The Town will thereafter be divided into two major sections, north and south, and eventually in smaller sections to insure the best towing coverage, response time and convenience for drivers claiming their vehicles. Once these zones are established, only that tower assigned to that zone will be allowed to tow vehicles within that zone.

B. During any highway emergency, such as snowstorms, floods, etc., the Chief of Police may suspend the boundary lines of these zones for the purpose of more efficient vehicle removal. The Chief of Police may not suspend these boundary lines for more than ten consecutive days without authorization from the Town Board.

Section 78-13. FEE SCHEDULE.

Authorized Town towers shall not charge more than the following fees for the following respective services:

A. <u>Passenger Vehicles and Light Trucks.</u>	
1. Standard Tow (vehicles up to 10,000 pounds)	\$30.00
2. Flatbed	\$45.00
3. Additional Fees for Labor, Recovery and Towing:	
a. Truck and driver hourly rate	\$40.00
b. Dolly wheels	\$15.00
c. Trailer for motorcycle, all-terrain-vehicle/ cycle, snowmobile	\$10.00
d. Winching (per one-fourth hour)	\$10.00
4. Storage (per day)	\$ 6.00
5. Releasing vehicle after 5:00 P.M. weekdays, or other than required business hours on Saturdays, Sundays and Holidays	\$15.00
B. <u>Heavy Trucks, Buses, Tractor-Trailers, Machinery.</u>	
1. Hook-Up and Tow Vehicle over 10,000 pounds	\$50.00
2. Additional Labor Fees for heavy vehicle recovery and towing:	
a. Air hook-up	\$10.00
b. Mechanically release brakes (per axle)	\$10.00
c. Drop trailer from tractor	\$12.00
d. Remove axle (per axle)	\$10.00
e. Remove drive shaft	\$25.00
f. Remove bumper	\$25.00
3. Trailer towed behind vehicle	\$25.00
4. Winching (hourly rate per truck)	\$75.00
5. Additional labor (hourly per person)	\$25.00
6. Flatbed (per hour)	\$65.00
7. Storage (per 24-hour day):	
a. Tractor, Trailer or Bus	\$10.00
b. Truck over 20 feet long	\$10.00

Section 78 -14. INSPECTIONS BY CHIEF OF POLICE.

A. Storage Area and Tow Trucks. Upon receipt of a properly completed application, the Chief of Police shall direct the application to be reviewed and an on-site inspection of the storage area and tow truck(s) be conducted by the Police Department to determine if the requirements as set forth in this Chapter are met. Within a reasonable time after completion of the review and inspection, the Chief of Police shall either recommend approval or denial of the application to the Town Board.

B. Periodic Inspections. The Chief of Police will make quarterly on-site inspections of each tower's operating base and storage area. During this inspection, all required records, forms, tow trucks, storage areas, lighting, security, tow truck equipment, etc. is subject to inspection. The result of this inspection will be made part of the towing company's permanent file.

C. Compliance. Towers will have 15 days to bring any deficiency noted during an inspection into compliance with the provisions of this Chapter. Failure to do so will be grounds for cancellation of the license of authorization.

Section 78 -15. MONTHLY AUDIT.

An authorized Town tower shall provide copies of their receipts to the Chief of Police on a monthly basis. This will be accomplished by providing the Chief of Police with copies of these receipts no later than the fourth day of every month. These receipts shall reflect all towing work done for the Police Department during the previous month.

Section 78 -16. REVOCAION OF LETTER OF AUTHORIZATION.

An authorized Town tower may be removed from service by the Chief of Police via the process of rescinding the letter of authorization prior to the annual expiration date for violating the provisions of the letter of authorization, this Chapter or for making materially false statements on the application for a letter of authorization.

Section 78-17. APPEAL AND HEARINGS.

In the event the Chief of Police refuses to renew; or revokes; or suspends a letter of authorization, the authorized Town tower shall have the right to appeal such refusal, revocation or suspension to the Town Board, in accordance with the following provisions:

A. Refusal, revocation or suspension of a letter of authorization shall be determined by the Town Board after a hearing held pursuant to the notification procedure listed in subdivisions B through D of this Section.

B. Whenever it shall be provided herein that a hearing shall be held, such hearing shall be held on a date and at a place and hour designated by the Town Board.

C. The Town Clerk of the Town of Cheektowaga shall give notice of any hearing to be held hereunder, stating the name and business address of the authorized Town tower concerned, the subject matter of the hearing; and the date, place and hour designated therefor, by mailing a copy of such notice to the tower concerned at the business address shown upon the most recent application of such tower at least ten (10) days prior to the date of such hearing.

D. At any hearing held for the refusal, revocation, suspension or removal of a tower from a list, such tower shall be entitled to be represented by legal counsel and to present testimony or other evidence in his own behalf, as may be relevant to the subject matter of the hearing.

Section 78-18. EFFECTIVE DATES.

Subdivision B.6. of Section 78-7 of this Chapter shall become effective on the first day of January, 1987. The remainder of this Chapter shall become effective on the first day of June, 1986.

Section 78-19. SEVERABILITY.

Should any section or provision of this Chapter be decided by any court to be unconstitutional or invalid, such decision shall not affect the validity of this Chapter as a whole or any part hereof other than the part so decided to be unconstitutional or invalid.

Item No. 3 Call for public hearing for rezoning - 2460 Union Road  
This item was withdrawn.

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

WHEREAS, bids were duly received by the Town Board at a bid opening on April 21st for topsoil for use by the Town of Cheektowaga Highway Department, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid for Topsoil be awarded to Edward A. Metzger, Inc., 4135 Seneca Street, West Seneca, NY, the lowest responsible bidder meeting specifications as set forth on the tabulation sheet compiled by the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

\* See next two (2) pages for tabulation sheet.

Upon Roll Call....

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

**ALFRED F. WNEK**  
SUPERINTENDENT

OFFICE: 686-3450



**TOWN OF CHEEKTOWAGA**  
ERIE COUNTY, NEW YORK

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

May 13, 1986

Supervisor Daniel E. Weber  
Town Board Members  
Town Hall, Cheektowaga NY 14227

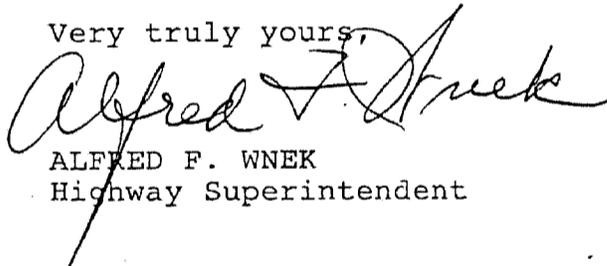
Dear Town Board Members:

Bids for Topsoil were received by the Town Board on April 21st, 1986, and after reviewing same, I recommend the the following be awarded:

Topsoil - Edward A. Metzger, Inc. 4135 Seneca Street  
West Seneca NY 14224

Attached hereto is a tabulation of bids submitted by the above companies (encircled to indicate the lowest bidder) and their competitors). I trust the above will meet with your approval.

Very truly yours,



ALFRED F. WNEK  
Highway Superintendent

AFW:erp

cc: Town Board  
Town Clerk  
Law Office

1986 MAY 14 PM 2:34

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



Seasonal Bids for  
Topsoil 5/19/86 to 6/1/87

Custom Topsoil  
Inc.  
320 Losson Rd.  
14227  
668-4444

J.F. Krantz  
Nursery Inc.  
1138 Millersport  
14226  
833-3699

Ed. A. Metzger  
Inc.  
4135 Seneca St.  
14224  
674-7389  
674-3300

Regular

13.40 yd. delv.  
9.00 yd. p.u.

13.50 yd. delv.  
8.47 p.u.

10.00 yd. dlv.  
8.00 p.u.

Screened

16.40 yd. delv.  
12.00 yd. p.u.

No Bid  
No Bid

15.00 delv.  
11.00 yd. p.u.

Shredded

14.40 yd. delv.  
10.00 yd. p.u.

14.58 yd. delv.  
9.47 p.u.

13.00 yd. delv.  
9.75 p.u.

\*\*\*\*p.u. picked-up

Item No. 5a Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

WHEREAS, the Town of Cheektowaga is sponsoring two (2) summer day camps for developmentally disabled children ("Camp Crabapple" and Camp JI-IK-DO-WAH-GAH") at the Alexander Middle School, Alexander Street, from July 7, 1986 to August 15, 1986, and

WHEREAS, it is necessary that bus transportation be provided to transport these developmentally disabled children to and from Camp Crabapple and Camp JI-IK-DO-WAH-GAH, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 7, 1986 to August 15, 1986; said Notice shall be published in the May 22, 1986 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. on Monday, June 2, 1986, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to publicly open and read said sealed bid proposals at 11:00 a.m. on Monday, June 2, 1986.

\*\*\*\*\*

NOTICE TO BIDDERS

PROPOSALS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York, until 11:00 a.m., Eastern Daylight Saving Time, on Monday, June 2, 1986, for the furnishing of two full size school buses and one wheel chair van, please bid separately, for the purpose of transporting clients to and from the Sloan, Cheektowaga, Depew, area to the Alexander Middle School, Alexander Street, Monday-Thursday and the Cheektowaga Recreation Center, only on Fridays, 2600 Harlem Road. Included in this bid should be the use of two full size buses and one wheel chair van, please bid separately on each bus, because we may not utilize the wheel chair van. For use one (1) day per week for six (6) weeks for transportation of clients from and to the Cheektowaga Recreation Center to various points of interest in the Western New York area. Arrival time is scheduled for 9:30 a.m. at Camp. Dismissal and take home is scheduled for 2:30 p.m. The time period for the aforementioned transportation will be July 7, 1986 through August 15, 1986 excluding Saturdays and Sundays.

Information for bidders may be obtained from the Adapted Recreation Program Director at the Cheektowaga Youth Bureau in said Town.

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

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

RICHARD M. MOLESKI  
Town Clerk

DATED: May 14, 1986

\*\*\*\*\*

Item No. 5a cont'd

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.

*Linda G. Puro*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication.....*May 22, 1986*.....;  
last publication.....*May 22, 1986*.....;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Puro*

Sworn to before me this .....*23rd*.....

day of .....*May*....., 19..*86*..

.....*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  
PROPOSALS**

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York, until 11:00 a.m. Eastern Daylight Time, on Monday, June 2, 1986, for the furnishing of two full size school buses and one wheelchair van, please bid separately, for the purpose of transporting clients to and from the Sloan, Cheektowaga, Depew area, to the Alexander Middle School, Alexander Street, Monday - Thursday and the Cheektowaga Recreation Center, only on Fridays, 2600 Harlem Road. Included in this bid should be the use of two full size buses and one wheelchair van, please bid separately on each bus, because we may not utilize the wheelchair van. For use one (1) day per week for six (6) weeks for transportation of clients from and to the Cheektowaga Recreation Center to various points of interest in the Western New York area. Arrival time is scheduled for 9:30 a.m. at Camp. Dismissal and take home is scheduled for 2:30 p.m. The time period for the aforementioned transportation will be July 7, 1986 through August 15, 1986 excluding Saturdays and Sundays.

Information for bidders may be obtained from the Adapted Recreation Program Director at the Cheektowaga Youth Bureau in said Town.

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

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

**RICHARD M. MOLESKI**  
Town Clerk

DATED: May 14, 1986  
PUBLISH: May 22, 1986

Item No. 5b Notice to Bidders - construction of pond in Stiglmeier Park  
This item was withdrawn.

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

WHEREAS, the Town of Cheektowaga is in need of Pressure Treated Lumber, and

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of said Lumber, Notice to be published in the May 22, 1986 issue of the Times, and BE IT FURTHER

RESOLVED that sealed bids will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. on Monday, June 2, 1986, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to open and read said sealed bid proposals at 11:00 a.m. on Monday, June 2, 1986 at a public bid opening.

\*\*\*\*\*

NOTICE TO BIDDERS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m., Eastern Daylight Savings Time, on Monday, June 2, 1986 for the furnishing of Pressure Treated Lumber for the Town of Cheektowaga for the year 1986.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices in said Town.

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

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

RICHARD M. MOLESKI  
Town Clerk

DATED: May 14, 1986

\*\*\*\*\*

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.

*Linda M. Pass*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clue* 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 *May 22, 1986*;  
last publication *May 22, 1986*;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Pass*

Sworn to before me this *23<sup>rd</sup>*

day of *May*, 19*86*.

*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 bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York until 11:00 a.m. Eastern Daylight Savings Time, on Monday, June 2, 1986 for the furnishing of Pressure Treated Lumber for the Town of Cheektowaga for the year 1986.

Information for bidders may be obtained from the Cheektowaga Youth Bureau Offices in said Town.

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

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

**RICHARD M. MOLESKI**

Town Clerk

DATED: May 14, 1986

PUBLISH: May 22, 1986

May 19, 1986

Item No. 5d 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 reconstruction and improvement of the Rein Road Bridge which work is to be financed by the State of New York thru the "Rebuild New York thru Transportation Infrastructure Renewal Bond Act", and

WHEREAS, Nussbaumer & Clarke, Inc., consulting engineers, were authorized by Town Board resolution dated July 1, 1985 to prepare the necessary plans and specifications for said Rein Road Bridge reconstruction, and

WHEREAS, the Town Engineer advises that the drawings and specifications are now completed and conform to the requirements requested by the Erie County Highway Department and the New York State Department of Transportation, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the Rein Road Bridge Improvement Project, said notice to be published in the BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 4th day of June, 1986 at 11:00 A.M., Local Time at a public bid opening to be held in the Council Chambers of the Cheektowaga Town Hall.

\* \* \* \* \*

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 4th day of June, 1986 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 Rein Road Bridge Reconstruction Project and related work, 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 May 22, 1986.

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 the 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.

Item No. 5d cont'd

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 two hundred ten (210) 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: May 19, 1986

PUBLISHED: May 22, 1986

\* \* \* \* \*

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.

*Linda G. Sus*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication... *May 22, 1986* ..... ;  
last publication... *May 22, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Sus*

Sworn to before me this *23<sup>rd</sup>* .....

day of *May* ....., 19 *86* .....

*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  
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 4th day of June, 1986 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 Rein Road Bridge Reconstruction Project and related work, 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 May 22, 1986.

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 the 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 two hundred ten (210) consecutive calendar days from the date of the Notice to Proceed.

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

**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: May 19, 1986  
PUBLISH: May 22, 1986

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**NOTICE TO BIDDERS**  
NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 4th day of June, 1986 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 Main Road Bridge Reconstruction Project and related work, including the full 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 two hundred (200) 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. 12958, 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: May 16, 1986

Marie A. Everett

of the City of Buffalo, New York, being duly sworn, deposes and says that she is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~times~~ the ~~first~~ insertion being on the 22nd day of May 1986 ~~and the last insertion being on the~~ ~~xxxxxx~~

~~XXXXXXXXXXXXXXXXXXXX~~  
Marie A. Everett

Sworn to before me this 22nd day of May 1986

Harold A. Mann

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

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**NOTICE TO BIDDERS**  
**NOTICE IS HEREBY**  
 GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 4th day of June, 1988, 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 Rein Road Bridge Reconstruction Project and related work, complete, in place and ready for use in accordance with the Contract Documents (hereof, 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 May 22, 1988.

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 informality 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 the 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 two hundred ten (210) consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2694 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. 12812, 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: May 19, 1988

Marie A. Everett

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

says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of

the BUFFALO NEWS, a newspaper published in said

City, that the notice of which the annexed printed slip taken

from said newspaper is a copy, was inserted and published

therein once ~~XXXXXXXXXXXXXXXXXXXX~~

insertion being on the 22nd day of May

1988 ~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~

*Marie A. Everett*

Sworn to before me of \_\_\_\_\_

\_\_\_\_\_ day  
 \_\_\_\_\_  
 1988

*Harold A. Mann*

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

Notary Public, Erie County, N.Y.

May 19, 1986

Item No. 5e Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, there is need for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding at various locations in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the construction of new sidewalks and the reconstruction of existing sidewalks, notice to be published in THE BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 4th day of June, 1986 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

\*\*\*\*\*

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1986 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

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

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

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

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

RICHARD M. MOLESKI  
Town Clerk

DATED: May 19, 1986

\*\*\*\*\*

Item No. 5e cont'd

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.

Linda G. Press, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
Cluk 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 May 22, 1986 ;  
last publication May 22, 1986 ;  
and that no more than six days intervened be-  
tween publications.

Linda G. Press

Sworn to before me this 23<sup>rd</sup>

day of May, 1986

Cecelia Westoven

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

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

**LEGAL NOTICE  
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1986 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The Bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside, CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

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

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

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

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

**RICHARD M. MOLESKI**

Town Clerk

DATED: May 19, 1986

PUBLISH: May 22, 1986

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

**NOTICE TO BIDDERS**  
Sealed proposals will be received by the Town of Cheektowaga on June 4, 1986 at 11:00 A.M., Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.  
Information for bidders and contract specifications may be obtained from the Town Clerk at his office.  
Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.  
Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order



Marie A. Everett

of the City of Buffalo, New York, being duly sworn, deposes and says that she is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~a week for~~ one ~~weeks~~ the ~~first~~ insertion being on the 22nd day of May 1986 and the last insertion being on the ~~day~~

of ~~19~~ 1986  
Marie A. Everett

Sworn to before me this 22nd day of May 19 86

Harold A. Mann

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

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

## NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1986 at 11:00 A.M. Local Time, at the Town Hall, Broadway and Union Road, Cheektowaga, New York for the furnishing, installation of new sidewalks and the reconstruction of existing sidewalks, including incidental piping, miscellaneous grading and seeding.

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

Copies may be obtained upon payment of twenty (\$20.00) dollars per contract. Any bidder upon returning such copy in good condition within thirty (30) days following the taking of bids will be refunded said sum of twenty (\$20.00) dollars. Non-bidders will be refunded ten (\$10.00) dollars upon return of contract documents within thirty (30) days following the taking of bids.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the bid, payable to the order of Daniel E. Weber, Supervisor of the Town of Cheektowaga. The bond shall be approved by the Town Attorney.

Proposals shall be in sealed envelopes, plainly marked on the outside CONSTRUCTION OF TOWN SIDEWALKS, with the contractor's name and submitted to the TOWN CLERK prior to bid opening.

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

A surety bond by a company satisfactory to the Town Board and in an amount not less than one hundred percent (100%) of the contract price will be required by the successful bidder.

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

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

RICHARD M. MOLESKI  
Town Clerk

DATED: May 19, 1986

Marie A. Everett

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

and says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of

THE BUFFALO NEWS, a newspaper published in said

city, that the notice of which the annexed printed slip taken

from said newspaper is a copy, was inserted and published

therein ~~once~~ once ~~week for~~ one ~~week~~ week, the

~~first~~ first insertion being on the 22nd day of May

19 86 ~~and the last insertion being on the~~ day

of ~~19~~ 19

Marie A. Everett

Sworn to b

22nd

day

of

19 86

Harold A. Mann

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

Notary Public, Erie County, N.Y.

May 19, 1986

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

WHEREAS, the Cheektowaga Youth Bureau will be sponsoring Camp Crabapple and Camp JI-IK-DO-WAH-GAH for disabled youths from June 30, 1986 through August 19, 1986; and

WHEREAS, the Cheektowaga Youth Bureau is desirous of utilizing the Alexander Middle School for the purpose of sponsoring these camps; and

WHEREAS, the Cheektowaga Central Board of Education owns and has authorized the use of the Alexander Middle School by the Cheektowaga Youth Bureau for this purpose at no charge to the Town; and

WHEREAS, the Town Attorney's Office has prepared an Agreement for the use of the Alexander Middle School for the aforementioned purposes, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Youth Bureau is hereby authorized to conduct and sponsor Camp Crabapple and Camp JI-IK-DO-WAH-GAH at the Alexander Middle School for the period from June 30, 1986 through August 19, 1986; and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized, directed and empowered to execute the attached agreement with the Cheektowaga Central Board of Education relating to the use and occupancy of the Alexander Middle School for the purposes set forth above.

\* See next three (3) pages for agreement

Upon Roll Call.....

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

NAYES: 0

ABSENT: 0

A G R E E M E N T

RECEIVED  
1986 MAY 20 PM 2:50  
CHEEKTOWAGA  
TOWN CLERK

THIS AGREEMENT is made and entered into as of the 12 of May, 1986, by and between the Town of Cheektowaga, a municipal corporation organized under the laws of the State of New York, having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227 (hereinafter the "Town"); and the Cheektowaga Central School District, a central school district organized and existing under the Education Law of the State of New York, with its principal place of business at 3600 Union Road, Cheektowaga, New York 14227 (hereinafter "Central")

W I T N E S S E T H:

WHEREAS, Central is the owner of the Alexander Middle School located at 275 Alexander Avenue in the Town of Cheektowaga, New York (hereinafter "Premises"); and

WHEREAS, the Town, through the Cheektowaga Youth Bureau, is desirous of sponsoring and operating a summer day camp program for disabled youths at the Premises; and

WHEREAS, an agreement by and between the Town and Central for the use by the Town of the Premises for the purpose of sponsoring and operating a summer day camp program for disabled youths is authorized by Article 130 of the General Municipal Law of the State of New York;

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. The Town agrees to sponsor and operate a summer day camp program for disabled youths, commonly known as Camp Crabapple and Camp JI-IK-DO-WAH-GAH

at the Alexander Middle School for the period from June 30, 1986 through August 19, 1986.

2. Central hereby agrees to grant to the Town, subject to the conditions contained herein, the right to use and occupy the Premises, free-of-charge and without the payment of rental therefor, for the purpose of sponsoring and operating said summer day camp program for disabled youths.

3. Central hereby agrees to allow the use and occupancy of the Premises for the purpose of conducting said Program from Monday through Friday, including any school holidays and vacation periods, from 8:00 a.m. to 4:00 p.m.; provided, however, that the Premises shall not be available to the Town on any days which are designated as legal holidays in the State of New York.

4. The Town agrees to designate a Town employee as site manager who will be responsible for the general operation of the program and, in addition thereto, the Town will secure the services of a sufficient number of volunteers in order to implement and effectuate the operation of the program.

5. The parties hereto agree to comply with all the Federal, State and County laws, rules and regulations applicable to the operation and administration of said program.

6. The Town agrees to indemnify and hold harmless Central against any loss by reason of the negligence of the Town, its agents, servants and/or employees in the operation of said program. The Town, as self-insurer for liabilities, hereby promises that payment for any such claims will be guaranteed and will be paid out of current budgeted funds or, if insufficient, from funded loss reserves or from the proceeds of bonds which current laws permit the Town to issue to pay claims against it.

7. This Agreement shall commence on June 30, 1986 and shall expire at midnight on August 19, 1986.

8. The Town shall not be responsible for the payment of any maintenance or other charges associated with the Premises during the term hereof; provided, however, that the Town shall be responsible for the payment of any overtime wages paid to any janitorial staff if such overtime is directly caused by the operation of the Premises by the Town pursuant to the terms hereof.

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

TOWN OF CHEEKTOWAGA

By: *Daniel E. Weber*  
Daniel E. Weber, Supervisor

CHEEKTOWAGA CENTRAL SCHOOL  
DISTRICT

By: *Chester A. Nowacki*

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

WHEREAS, the Town of Cheektowaga contracted with Richard Neth & Sons, Inc. to repair the roof at the Cheektowaga Recreation Center building, and

WHEREAS, during such work, damage was done to the ceiling and carpet located in the Cheektowaga Recreation Center, and

WHEREAS, Frontier Claim Services, Inc. the liability insurance carrier for Richard Neth & Sons, Inc., has offered the Town \$1,000.00 for damage done to the ceiling and \$4,550.00 for replacement of the carpeting at the Cheektowaga Recreation Center, and

WHEREAS, the Director of the Cheektowaga Recreation Department and the General Foreman of the Facilities Department have stated that the aforesaid sums are reasonable and recommended that the Town accept same and execute the appropriate release, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to accept the sum of \$5,500.00 from Frontier Claim Services, Inc. for damage done by Richard Neth & Sons, Inc. to the Cheektowaga Recreation Center, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached "Release of All Claims" on this matter on behalf of the Town.

\* See next page for Release

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

RELEASE OF ALL CLAIMS

FOR AND IN CONSIDERATION OF the payment to me/us of the sum of

RECEIVED  
1986 OCT 10 PM 1:21  
CHEEKTOWAGA  
TOWN CLERK

-----Five-thousand, five-hundred and fifty and 00/100-----  
Dollars (\$5,500.00),

and other good and valuable consideration, I/we, being of lawful age, have released and discharged, and by these presents do for myself/ourselves, my/our heirs, executors, administrators and assigns, release, acquit and forever discharge R. Neth and Son, Inc.

-----and any and all other persons, firms and corporations of and from any and all actions, causes of action, claims or demands for damages, costs, loss of use, loss of services, expenses, compensation, consequential damage or any other thing whatsoever on account of, or in any way growing out of, any and all known and unknown personal injuries and death and property damage resulting or to result from an occurrence or accident that happened on or about the-----day of September, 19 85, at or near the premises known as the Cheektowaga Recreational Center, Harlem Road, Cheektowaga, New York.

I/we hereby acknowledge and assume all risk, chance or hazard that the said injuries or damage may be or become permanent, progressive, greater, or more extensive than is now known, anticipated or expected. No promise or inducement which is not herein expressed has been made to me/us, and in executing this release I/we do not rely upon any statement or representation made by any person, firm or corporation, hereby released, or any agent, physician, doctor or any other person representing them or any of them, concerning the nature, extent or duration of said damages or losses or the legal liability therefor.

I/we understand that this settlement is the compromise of a doubtful and disputed claim, and that the payment is not to be construed as an admission of liability on the part of the persons, firms and corporations hereby released by whom liability is expressly denied. I/we further agree that this release shall not be pleaded by me/us as a bar to any claim or suit.

This release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this release are contractual and not a mere recital.

I/we further state that I/we have carefully read the foregoing release and know the contents thereof, and I/we sign the same as my/our own free act.

WITNESS.....hand and seal this.....day of....., 19.....

CAUTION! READ BEFORE SIGNING

WITNESSES

.....)  
ADDRESS.....)  
.....)  
ADDRESS.....)

..... Seal  
..... Seal  
..... Seal

May 19, 1986

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

WHEREAS, the Cheektowaga Youth Bureau is desirous of renting campground facilities known as Camp Aloha for a summer camp for handicapped Cheektowaga youths from August 24-30, 1986, and

WHEREAS, such facilities are owned by the Camp Fire Council of Buffalo and Erie County, Inc. and are located in Wales Center, New York, and

WHEREAS, the Camp Fire Council of Buffalo and Erie County, Inc. is willing to rent such facilities to the Town provided that the Town executes an appropriate agreement for such rental, and

WHEREAS, such an agreement has been prepared and is acceptable to the Town Attorney's Office and the Camp Fire Council of Buffalo and Erie County, Inc., NOW, THEREFORE, BE It

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with the Camp Fire Council of Buffalo and Erie County, Inc. for the rental of the aforementioned campground facilities.

\* See next four (4) pages for agreement

Upon Roll Call....

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

A G R E E M E N T

THIS AGREEMENT is made and entered into as of the 22 day of MAY, 1986, by and between the Town of Cheektowaga, a municipal corporation organized under the laws of the State of New York, having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227 (hereinafter the "Town"); and the Camp Fire Council of Buffalo and Erie County, Inc., a not-for-profit corporation organized and existing under the Not-for-Profit Law of the State of New York, with its principal place of business at 2929 Main Street, Buffalo, New York 14214 (hereinafter "Council")

W I T N E S S E T H:

WHEREAS, Council is the owner of property known as Camp Aloha located at Wales Center, New York (hereinafter "Premises"); and

WHEREAS, the Town, through the Cheektowaga Youth Bureau, is desirous of sponsoring and operating a summer camp for youths at the Premises; and

WHEREAS, an agreement by and between the Town and Council for the use by the Town of the Premises for the purpose of sponsoring and operating a summer camp program for youths is authorized by Article 19-A of the Executive Law of the State of New York;

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Rental of Facilities. The Town agrees to rent the Council's Camp Aloha facilities at Wales Center, New York, and the Council agrees to let these facilities to the Town from August 24 through August 30, 1986 ("the Rental Period").

2. Services provided by Council.

a. The Council will provide accommodations at Camp Aloha during the Rental Period for up to 30 campers and 20 Town staff.

b. The Council will provide and prepare meals for campers and Town staff from supper on August 24, 1986 through lunch on August 30, 1986.

3. Town Obligation.

a. The Town will receive and process camper registrations and health examinations and provide registration information to the camp director.

b. The Town will provide the Council with evidence that campers are covered by medical insurance.

c. The Town guarantees a minimum of 50 people.

4. Limitation of Liability.

a. The Council is not responsible for any loss or damage to the property of campers or Town staff, except where caused by Council camp personnel acting within the scope of their employment.

b. The Town will be responsible for damage to or loss of camp property caused by Town personnel or Town campers.

\* 5. Insurance. The Town agrees to <sup>defend,</sup> <sup>fee</sup> <sup>acc.</sup> indemnify and hold harmless Council against any loss by reason of the negligence of the Town, its agents, servants and/or employees in the operation of said program. The Town, as self-insurer for liabilities, hereby promises that payment for any such claims will be guaranteed and will be paid out of current budgeted funds or, if insufficient, from funded loss reserves or from the proceeds of bonds which current laws permit the Town to issue to pay claims against it.

6. Fees. For the facilities and services described above, the Town will pay Council the following fees (based on 30 campers and 20 Town staff):

A. Rental Fee	\$1200
B. Meals - \$55/person x 50	<u>2750</u>
	\$3950

It is agreed that the Rental fee set forth above is fixed regardless of whether fewer than 30 campers are in attendance. If more than 30 campers or 20 Town staff members attend, however, the food cost per person, shall be adjusted accordingly.

The fees shall be paid according to the following schedule:

- a. \$800 on the execution of this agreement
- b. \$1500 on or before July 1, 1986
- c. The balance of \$1650 (or adjusted amount) before August 24, 1986

7. Termination.

If prior to July 1, 1986, the Town elects to terminate this agreement, the Town can do so by giving fifteen (15) days prior written notice to Council which notice must be received on or before July 1, 1986. In the event of such termination, the \$800 paid to Council upon the execution of this agreement shall not be refundable and shall be considered earned and payable.

If the Town otherwise terminates or fails to perform this agreement on or after July 1, 1986, the \$2300 paid or to be paid to Council on or before July 1, 1986 shall not be refundable and shall be considered earned and payable.

If it is mutually agreed by Council staff and Town staff that a camper must leave camp after a session has started, a pro-rated portion of the food cost, based on number of days the camper does not attend, will be

refunded to the Town.

This agreement sets forth the entire understanding of the parties hereto and may not be altered or amended except by a written agreement duly executed by each of the parties hereto.

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

TOWN OF CHEEKTOWAGA

By: *Daniel E. Weber*  
Daniel E. Weber, Supervisor

CAMP FIRE COUNCIL OF BUFFALO AND  
ERIE COUNTY, INC.

By: *Fern Koch*  
Fern Koch, Executive Director

DATE: 5/22/86, 1986

MEETING NO. 10  
May 19, 1986

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

WHEREAS, in October of 1969, the Old Union Road bridge, located over the former Penn-Central Railroad tracks and near French Road, was closed to vehicular traffic because of its unsafe condition, and

WHEREAS, since such time, the Town of Cheektowaga has attempted to have the Penn-Central Railroad Company, the New York State Department of Transportation and the Erie County Department of Public Works, Division of Highways, remove such deteriorated bridge, and

WHEREAS, such attempts have thus far been unsuccessful, and

WHEREAS, such bridge remains dangerous to the public and an eyesore to all, and

WHEREAS, the New York State Department of Transportation recently notified the Erie County Department of Public Works, Division of Highways, that funding is available for projects involving the removal of railroad bridges, and

WHEREAS, this Town Board desires to avail itself of such funding to dismantle and remove the Old Union Road bridge, and

WHEREAS, the removal of the Old Union Road bridge structure would be beneficial in restoring property to the tax rolls and in encouraging economic development of this area of Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby petitions the New York State Department of Transportation to allocate a portion of the moneys it has appropriated for railroad bridge removal for the dismantling and removal of the Old Union Road bridge, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to D.H. Ketchum, Regional Director of the New York State Department of Transportation and to Leonard V. Saniewski, Deputy Commissioner-Highways of the Erie County Department of Public Works, Division 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. 8 Motion by Councilman Gabryszak, Seconded by Councilman Kowal

WHEREAS, this Town Board has continually expressed concern about both the past development and future development of the Town of Cheektowaga, and

WHEREAS, the appearance of all land areas in the Town and developments therein are of further concern to all of the inhabitants of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the period of May 19th, 1986 through May 30th, 1986, be and hereby is designated as "CLEAN-UP, PAINT-UP, FIX-UP WEEK" in 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. 9 Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

WHEREAS, land developers must install water mains along the right-of-ways of new subdivisions, and

Item No. 9 cont'd

WHEREAS, five (5) hydrants must be installed in the Losson Green Estates Subdivision before the Erie County Water Authority accepts these water main extensions as part of their water transmission system, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to the subdivision developer to install five (5) hydrants in the Bellevue Fire District #9. The hydrant locations are approved by the Board of Fire Commissioners of Bellevue Fire District #9. The approved locations are in the Losson Green Estates Subdivision to be filed with the Erie County Clerk's Office.

- (1) on the common boundary line of Lots #12 & #13 on the east side of Groell Avenue. Phase II
- (1) On the common boundary line of Lots #26 & #27 on the south side of Groell Avenue. Phase II
- (1) On the common boundary line of Lots #31 & #32 on the west side of Redoak Drive, Phase II
- (1) On the east side of Hillpine Road on the south line of Lot #101. Phase IV
- (1) On the west side of Rushford Lane on the line between Lots #162 & #163. Phase IV

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 has agreed to accept property from Calspan Corporation so as to construct a connecting road between the north ends of Dean Road and Hyland Avenue, and

WHEREAS, the conveyance of the property from Calspan Corporation requires a legal property survey and description to be provided as part of the agreement, NOW, THEREFORE, BE IT

RESOLVED that the January 14, 1986 proposal of Nussbaumer & Clarke, Inc. to the Town Engineer for the property survey, legal description and topographic survey at the total price of \$1,600. be and hereby is approved, and BE IT FURTHER

RESOLVED that this resolution shall constitute authorization for payment to Nussbaumer & Clarke, Inc. for said survey, description and topographic work.

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 Johnson, Seconded by Councilman Gabryszak

WHEREAS, H.O.M. Development Corp., developer of the Greenwood Village Subdivision, submitted certified funds in the amount of \$5,600., said funds being held in escrow in lieu of a performance bond as security for the installation of the street lighting system in this subdivision, and

WHEREAS, a portion of the street lighting system consisting of seven (7) eighteen foot (18') fiberglass standards, conduit and conductors has been installed in accordance with Town specifications, NOW, THEREFORE, BE IT

Item No. 11 cont'd

RESOLVED that the respective portion of the security deposit for the completed work amount to \$2,800. be released to H.O.M. Development Corp. and that the remaining balance of \$2,800 be retained by the Town of Cheektowaga until final completion of the street lighting system.

Upon Roll Call....

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

Item No. 12 Motion by Supervisor Weber, Seconded by Unanimous

WHEREAS, Julie Beiter of Briarcliff Road in the Town of Cheektowaga received the "Gold Award" from the Girl Scouts of America for her many hours of community service, her commitment to handicapped children, and her work with the Special Olympics, and

WHEREAS, the "Gold Award" is the highest award bestowed upon an individual by the Girl Scouts of America and is given only in rare occasions to those who are truly deserving of same, and

WHEREAS, this Town Board is proud of the fact that Julie Beiter received the "Gold Award" and feels that she stands as an example to all this nation's young people, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby commends Julie Beiter for her achievements and for her receipt of the "Gold Award" from the Girl Scouts of America.

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 Motion by Councilman J. Rogowski, Seconded by Councilman W. Rogowski

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 in celebration of World Food Day and 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 19, 1986 beginning at 1:30 P.M. 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, Cheektowaga's first CROP Walk held on October 20, 1985 raised \$3,851.50 to help hungry people around the world and \$1,000.00 was returned to the Town for the Town's Meals on Wheels program, and

Item No. 13 cont'd

WHEREAS, this Town Board feels that moneys raised through CROP Walks make a 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 approved, NOW, THEREFORE, BE IT

RESOLVED that CWS and BAMB be and hereby are given permission to hold its October 19th, 1986 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 the CWS and BAMB be and hereby are given permission to start and finish its ten kilometer walk at the Stiglmeier Park Community Center, and BE IT FURTHER

RESOLVED that the Town Facilities Department be and hereby is directed to cooperate with the sponsors of the CROP Walk for the use of the Stiglmeier Park Community Center, and BE IT FURTHER

RESOLVED that the Town Board hereby formally requests that CWS and BAMB 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, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Maureen Gensler, , Cheektowaga, New York 14227.

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 Johnson, Seconded by Councilman Gabryszak

WHEREAS, by resolution dated April 7, 1986, this Town Board agreed to purchase automobile fire insurance covering all Town vehicles valued over \$5,000 from Joseph J. Naples and Associates, Inc., and

WHEREAS, Joseph J. Naples and Associates, Inc. has stated that the fire coverage on private passenger vehicles only must either be broadened to "All Perils (except collision) Coverage" or be cancelled, and

WHEREAS, the cost to the Town for the additional coverage would be \$2,413, and

WHEREAS, this Town Board does not feel that the broadened All Perils (except collision) Coverage is financially beneficial to the Town, NOW, THEREFORE, BE IT

RESOLVED that, effective immediately, this Town Board hereby declares that fire losses on Town-owned private passenger automobiles shall be self-funded, and BE IT FURTHER

RESOLVED that the existing fire coverage on private passenger vehicles with Joseph J. Naples and Associates, Inc. be and hereby is cancelled, effective immediately, and BE IT FURTHER

Item No. 14 cont'd

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Town's Insurance Consultant, Ernest A. Holfoth, with a request that Mr. Holfoth process such changes in insurance coverage and procure a credit for the insurance coverage which the Town has cancelled.

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 W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission from the Cheektowaga Recreation Department to utilize John C. Stiglmeier Park located on Losson Road, Cheektowaga, New York to conduct a professional "Dog Show", and

WHEREAS, the Kennel Club of Buffalo, Inc. has requested the date of June 8, 1986, and

WHEREAS, the intent and purpose of the Kennel Club of Buffalo, Inc. and the Town of Cheektowaga is to reserve the area known as Diamond Number One, located in John C. Stiglmeier Park, and

WHEREAS, the primary purpose of said "Dog Show" is to afford the general public an opportunity to observe various pedigree species, categorize and professionally judged, and

WHEREAS, the Kennel Club of Buffalo, Inc. has submitted a Certificate of Insurance from the Agency of Robert J. Los Agency, Inc., 4167 Legion Drive, Hamburg, New York, agent for the National Grange Mutual to insure: General Liability to include Bodily Injury Liability in the amount of \$500,000 each occurrence and Property Liability in the amount of \$100,000 each occurrence, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to the Kennel Club of Buffalo, Inc. exclusive use of the area known as Diamond Number One (1) Two (2) and Three (3); the Losson Community Center at John C. Stiglmeier Park on June 8, 1986 between the hours of 10:00 a.m. and 6:00 p.m. under the guidelines set forth within said resolution, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney and the Director of the Facilities Department of the Town of Cheektowaga and the Director of Recreation 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. 16 Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

WHEREAS, through prior Town Board Resolution, permission has been granted to the Kennel Club of Buffalo, Inc. to conduct a "Dog Show" at John C. Stiglmeier Park on June 8, 1986 between the hours of 10:00 a.m. and 6:00 p.m., and

WHEREAS, the Code of the Town of Cheektowaga, Article 48-8 "Domestic Animals Prohibited From Parks and Park Approaches", states "No domestic animals shall be permitted in a park or park approach", and

Item No. 16 cont'd

WHEREAS, only duly authorized Kennel Club of Buffalo, Inc. members and registered entrants shall be allowed to occupy the grounds of the John C. Stiglmeier Park during such times as stated said resolution, NOW, THEREFORE, BE IT

RESOLVED that said wavier be extended to the Kennel Club of Buffalo, Inc., its membership and registrants on June 8, 1986 between the hours of 10:00 a.m. and 6:00 p.m., and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants shall comply with the Code of the Town of Cheektowaga, Chapter 21, amended in its entirety on February 2, 1976, and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants shall comply with the Code of the Town of Cheektowaga, Article 21-1. Applicability; Article 21-2. Seizure of Unleashed Dogs Off Owner's Premises; Article 21-3. Muzzling or Fastening of Dogs on Owner's Premises; Article 21-4. Noise by Dogs; and Article 21-5. Penalties for Offenses, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney and the Director of the Facilities Department of the Town of Cheektowaga and the Director of Recreation 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. 17 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 Southwest corner of Transit Road and Madeira Drive, Cheektowaga, New York (SBL# 115-3.24.1) and according to the Assessors' Office is owned by Henry M. Porter, 100 Oakland Place, Cheektowaga, New York 14222,

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. 18 Motion by Councilman W. 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

Shawn Davies

Effective  
immediately

Item No. 18 cont'd

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 to dispense with the reading of names on Items 19A, 19B, 19C, 19D, 19E.

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. 19a Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the Facilities Department at the rate of \$3.35 per hour as follows:

<u>Parks Division - #01-007110-1-0-1491-001</u>		<u>Effective</u>
Joseph Trzaska		5/27/86
Wayne Kowal		5/27/86
John Barberio		5/27/86
William Wasierski		5/20/86
Matthew Dean Hunneshagen		5/20/86
David Bryk		Immediately
 <u>Street Lighting Division - #02-905182-1-0-1492-001</u>		
Anthony Belcer		5/26/86
Donlin McCarthy		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. 19b Motion by Councilman Johnson, Seconded by Councilman Kowal

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>SEWER MAINTENANCE DEPARTMENT - \$3.35 per hour</u>	
Paul Horvath	Immediately
David Uhl	Immediately
Jeff Bobeck	Immediately
Ronald Lynch	Immediately
Ronald Andrzejewski	Immediately
Kevin Schmitt	Immediately

Item No. 19b cont'd

CENTRAL GARAGE - \$3.35 per hour

James Charvat	Immediately
James Tokasz	Immediately
Ronald Ruggiero	Immediately

SANITATION DEPARTMENT - \$3.10 per hour

Anthony Bonitati	5/19/86
Michael Bratek	5/26/86
Ronald Kennuth	5/19/86
Mark Kozminski	5/19/86
John Wieberg	5/26/86
David Kreuzer	5/19/86

MAIN PUMP STATION - \$3.35 per hour

Donald Charvat	5/19/86
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POLICE DEPARTMENT - \$3.35 per hour

Colleen Burke	Immediately
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TOWN CLERK'S OFFICE - \$3.35 per hour

Pamela Bochinski	Immediately
Jacqueline Lukowski	Immediately
Kelly Mulcahy	Immediately
Deborah Przepiora	Immediately
AnnMarie Wojciechowski	Immediately

JUSTICE COURT - \$3.35 per hour

Jacqueline Decker	Immediately
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and BE IT FURTHER

RESOLVED that Timothy Szarpa of \_\_\_\_\_ be transferred from the Facilities Dept. Street Lighting Division ( Account No. 02-905182-1-0-1492-001) to the Main Pump Station; and Brian Ziemba, \_\_\_\_\_ be transferred from Facilities-Parks Division (Account No. 01-007110-1-0-1491-001) to the Sewer Maintenance Department, 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. 19c Motion by Supervisor Weber, Seconded by Councilman Kowal

WHEREAS, Cheryl Wasielewski terminated her employment as a part-time employee in the Town Justice Court, and

WHEREAS, the Town Justices have recommended that Theresa Majchrzak be appointed to replace Cheryl Wasielewski, NOW, THEREFORE, BE IT

RESOLVED that the following individual be and hereby is hired as a part-time employee in the Town Justice Court, effective May 20, 1986, at the rate of \$3.50 per hour:

Theresa Majchrzak

Depew, New York 14043

MEETING NO. 10  
May 19, 1986

Item No. 19c

Upon Roll Call....

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

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

BE IT RESOLVED that the salaries for the following individuals be increased from \$5.75 per hour to \$6.25 per hour, effective June 2, 1986 (7310.1803):

Theresa J. Gorski  
Dorene M. Zak

BE IT RESOLVED that the following individuals be transferred from the Adapted Recreation Program (7310.1803) to the Day Camp for Developmentally Disabled Youth (7310.1802), effective June 30, 1986:

Recreation Supervisors ( (Program Coordinators) - \$6.25 per hour

Theresa J. Gorski 14206  
Dorene M. Zak 14227

Recreation Supervisor (Activity Coordinator) - \$5.50 per hour

Deborah Wojtkowski 14043

Recreation Supervisors (Activity Directors) - \$5.00 per hour

Andrea Zieger 14225  
(Music)  
Thomas Sinica 14211  
(Phy. Ed.)  
Christine Phillips 14225  
(Arts and Crafts)

Recreation Supervisors (Senior Counselors) - \$4.00 per hour

Andrew Gorski 14206  
Bonnie Lynch 14043  
Sherry Streicher 14225  
Karen Conroy 14215

Recreation Attendant (Junior Counselor) - \$3.35 per hour

Tina Kaczorowski 14227

and BE IT FURTHER

RESOLVED that the following individuals be hired for the Day Camp for Developmentally Disabled Youth (7310.1802) effective June 30, 1986:

Recreation Supervisors (Senior Counselors) - \$4.00 per hour

Linda Wopperer 14227  
Jeffrey Kaczorowski 14227

Recreation Attendants (Counselors) - \$3.50 per hour

Kevin Niederpruem 14227  
Tracy Jacobs 14227  
Denise Krause 14225  
Denise Lechner 14225  
Susan Switalski 14225  
Michelle Cook 14211  
Lisa Pieprowski 14225  
Dawn McFadden 14206

Item No. 19d cont'd

Recreation Attendants (Junior Counselors) - \$3.35 per hour

Barb Zielinski	14225
Kerry Switalski	14225
David Imiola	14227
Paulette Mecca	14225
Jason Backes	14225
Marie Sikora	14212

Recreation Attendants (Counselor Aides) - \$3.00 per hour

Kathryn Pundt	14043
Cindy Boje	14225
Amy Anderson	14227
Karen Dukat	14225
Kelli Jacks	14227
Mark Phillips	14225

and BE IT FURTHER

RESOLVED that the following individual be hired for the Day Camp for Developmentally Disabled Youth (7310.1802), effective July 23, 1986:

Recreation Attendant (Counselor Aid) - \$3.00 per hour

Christine Male	14225
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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. 19e Motion by Councilman W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be hired as Trainee Supervisors - Level II - for the Cheektowaga Conservation Corps at the salary rate of \$5.25 per hour (7310.1811):

Paul Sutton	14225
Martin J. Surowiecz, Jr.	14043
Paul Damian	14227
Lawrence Osswald	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. 20 motion by Councilman Johnson, Seconded by Councilman Kowal

WHEREAS, in order to provide for the provision of emergency medical services on a uniform basis, this Town Board, on May 7, 1984, adopted an Ambulance Services Ordinance ("Ordinance"); and

WHEREAS, said Ordinance provides for the establishment and authorization of an Emergency Medical Services Board ("EMS Board") which will act as agency of the Town of Cheektowaga in the implementation of the Ordinance; and

WHEREAS, the completion of the EMS Board is set forth in Section 4A-7 of the Ordinance; and

Item No. 20 cont'd

WHEREAS, the one-year terms of the present individuals who were appointed to the EMS Board on May 20, 1985, are about to expire, NOW, THEREFORE, BE IT

RESOLVED that Laurence Kishbaugh be appointed to serve as the Chairman of the EMS Board for a term of one year; and BE IT FURTHER

RESOLVED that the following individuals shall be designated to serve as members of the EMS Board for a term of one year following appointment:

<u>FIRE DISTRICT</u>	<u>REPRESENTATIVE</u>	<u>ALTERNATE</u>
1. Hy-View Fire District No. 8	Robert Schmitt	Edward Jay
2. U-Crest Fire District No. 4	Francis X. Kreuzer	Robert E. Cummings
3. Walden Fire District No. 2	Daniel C. Tybor	Joseph Burke
4. Sloan Fire District	Joseph Steward	Wilbur Betts
5. Forks Fire District	Thomas Burgasser	Donald Andrews
6. Bellevue Fire District	Walter Karaszewski	Ordell Reitz
7. Doyle Fire District	Leonard Andrzejewski	Theodore Klosko
8. Cleveland Hill Fire District	Leo Dusing	Edward Gooch
9. South Line Fire District No. 10	Gene Stamates	Jack Stablewski

and BE IT FURTHER

RESOLVED that the Chief of Police of the Town of Cheektowaga or his designee shall also serve as a member of the EMS Board.

Upon Roll Call....

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

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

WHEREAS, Alfred F. Wnek, Highway Superintendent, has advised the Town Board of his intent to attend the TOWN AND COUNTY OFFICERS TRAINING SCHOOL OF THE STATE OF NEW YORK at Cornell University, Ithaca, New York on June 9th, 10th, 11th, 1986 together with Alfred F. Wnek, Jr. and Robert Nader, both Foremen in the Highway Department, NOW, THEREFORE, BE IT

RESOLVED that Highway Superintendent, Alfred F. Wnek, and his Foremen, Alfred Wnek, Jr. and Robert Nader, are hereby authorized to attend the above training course, arriving at the Sheraton Inn and Conference Center, Ithaca, New York, the evening of June 8th, and BE IT FURTHER

RESOLVED that Alfred F. Wnek will be using his highway automobile for transportation and that they shall be reimbursed for all travel and necessary expenses in connection with said training school, as provided for through budgeted line item, Highway-Travel - 04513.4082.

Upon Roll Call....

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

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

BE IT RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to adopt the policy in accordance with the attached proposal dated April 17, 1986, which is hereby made a part of this resolution, to replace defective utility-owned mercury vapor street lighting fixtures in the Town of Cheektowaga with more energy efficient high pressure sodium street lighting fixtures.

\* See next page for proposal

STREET LIGHTING PROPOSAL  
REPLACEMENT OF DEFECTIVE MERCURY VAPOR FIXTURES

STANDARD FIXTURES ON OVERHEAD WOOD POLES

<u>Remove Mercury Vapor</u>	<u>Install HPS</u>	<u>Annual Cost Difference*</u>
3200 lumen 81.83	3300 lumen 83.58	1.75 increase
7000 lumen 113.20	5200 lumen 93.02	20.18 decrease
9400 lumen 145.60	8500 lumen 106.00	39.60 decrease
17200 lumen 208.96	14400 lumen 126.46	82.50 decrease
48000 lumen 469.33	45000 lumen 249.15	220.18 decrease

POST TOP FIXTURES

<u>Remove Mercury Vapor</u>	<u>Install HPS</u>	<u>Annual Cost Difference*</u>
3200 lumen 91.62	3300 lumen 93.15	1.53 increase
7000 lumen 123.41	5200 lumen 102.59	20.82 decrease

\* based on PSC 117 rates effective April 15, 1986

This proposal is to allow NYSEG to replace defective lights as shown above as soon as they are reported out. This will eliminate an extended period of time when that light could be out of service while a proposal is submitted and approved.

NEW YORK STATE ELECTRIC & GAS CORPORATION

April 17, 1986

Item No. 22 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. 23 motion by Supervisor Weber, Seconded by Councilman W. Rogowski

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

HUD-CDBG FUNDS

From: 1983-84 Depew-Contingency \$302.59  
To: 1983-84 Depew-Sr. Citizen Activities \$302.59

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. 24 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 May 19th, 1986 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 97,803.16
SPECIAL DISTRICTS FUND	7,809.77
HIGHWAY FUND	14,021.79
FEDERAL REVENUE SHARING FUND	4,560.50
PART TOWN FUND	149.80
COMMUNITY DEVELOPMENT FUND	38,245.61
	<u>\$162,590.63</u>

Upon Roll Call....

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

II. FROM THE TABLE

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

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

Item No. 25a cont'd

WHEREAS, such proposed rezonings will also protect existing and proposed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MOTION BY COUNCILMAN JAWOROWICZ, SECONDED BY COUNCILMAN J. ROGOWSKI TO TABLE THE ABOVE RESOLUTION.

Upon Roll Call....

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

THE ABOVE RESOLUTION WAS TABLED UNANIMOUSLY.

Item No. 25b Motion by Councilman Jaworowicz, seconded by Councilman W. Rogowski

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., have petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by them and located at 320 Losson 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 21st day of April, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

MEETING NO. 10  
May 19, 1986

Item No. 25b cont'd

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. Proper berming and landscaping be provided so that this development is not visible from Losson Road;
2. Fencing and proper landscaping be provided to separate John C. Stiglmeier Park from this development; and
3. Strict compliance with the plot plan submitted.

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 Henry M. and Arlene Fronckowiak 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, 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 W.P. Rogowski, J.V. Rogowski, Jaworowicz and Kowal  
NAYES: Councilmen Johnson and Gabryszak  
ABSENT: 0

\* See next page for description

AFFIDAVIT - NEXT PAGE

LEGAL DESCRIPTION OF PROPERTY --

All that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:-

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+67.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of  $119^{\circ} 30' 04''$ , two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point; continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) feet to the point of beginning.

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

.....*Linda G. Pruss*....., 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.....*May 29, 1986*..... ;  
last publication.....*May 29, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

.....*Linda G. Pruss*.....

Sworn to before me this .....*30th*.....

day of .....*May*....., 19*86*...

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

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

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

STATE OF NEW YORK )  
COUNTY OF ERIE )

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 May 19, 1986, 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. 25b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 20th day of May, 1986.

RICHARD M. MOLESKI  
Town Clerk  
PUBLISH: May 29, 1986

#### 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 May, 1986 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 W.P. Rogowski

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., have petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by them and located at 320 Losson 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 21st day of April, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the following conditions:

1. Proper berming and landscaping be provided so that this development is not visible from Losson Road;

2. Fencing and proper landscaping be provided to separate John C. Stiglmeier Park from this development; and

3. Strict compliance with the plot plan submitted.

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 Henry M. and Arlene Fronckowiak 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, BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above.

ALL that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+67.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of 119° 30' 04", two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point; continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) feet to the point of beginning.

Upon roll call ....

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting NAYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting NAYE

AYES: 5

NAYES: 2

ABSENT: 0

Item No. 25c Motion by Councilman Jaworowicz Seconded by Councilman W. Rogowski

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., applied for a Special Permit for a mobile home park on property located at 320 Losson Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. Proper berming and landscaping be provided so that this development is not visible from Losson Road;
2. Fencing and proper landscaping be provided to separate John C. Stiglmeier Park from this development; and
3. Strict compliance with the plot plan submitted.

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 320 Losson 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 aforementioned conditions as recommended by the Cheektowaga Planning Board.

Upon Roll Call....

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

\* See next page for description.

AFFIDAVIT - NEXT PAGE

LEGAL DESCRIPTION OF PROPERTY --

All that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:-

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+67.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of  $119^{\circ} 30' 04''$ , two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point; continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) feet to the point of beginning.

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

*Linda G. Bras*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication *May 29, 1986* ;  
last publication *May 29, 1986* ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Bras*

Sworn to before me this *30<sup>th</sup>*

day of *May*, 19*86*.

*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 May, 1986 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 W.P. Rogowski

WHEREAS, Henry M. and Arlene Fronckowiak, on behalf of Parkside Village, Inc., applied for a Special Permit for a mobile home park on property located at 320 Losson Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. Proper berming and landscaping be provided so that this development is not visible from Losson Road;
2. Fencing and proper landscaping be provided to separate John C. Stiglmeier Park from this development; and
3. Strict compliance with the plot plan submitted.

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 320 Losson 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 aforementioned conditions as recommended by the Cheektowaga Planning Board.

ALL that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being parts of Lots Numbers fifty-six (56), fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at intersection of the northeasterly line of Losson Road with the monumented center line of the Gardenville Branch of the Railroad of the Penn Central Company, said point being at Chaining Station 167+67.28; running thence northeasterly along said monumented center line nine hundred twenty-nine and eighty-four hundredths (929.84) feet; running thence northwesterly at right angles seven hundred twenty-four and fifty-nine hundredths (724.59) feet to a point in the north line of Lot Number fifty-seven (57), Township ten (10), Range seven (7); thence southwesterly along the north line of Lots Numbers fifty-seven (57) and fifty-eight (58), Township ten (10), Range seven (7), nine hundred thirty-five and thirty hundredths (935.30) feet to a point; running thence southerly at an interior angle of 119° 30' 04", two hundred seventeen and twenty-two hundredths (217.22) feet to a point; running thence easterly at right angles two hundred twenty (220) feet to a point; running thence southerly at right angles one hundred sixty-six and thirty-four hundredths (166.34) feet to a point in the northeasterly line of Losson Road; running thence southeasterly along the northeasterly line of Losson Road on a curve having a radius of three hundred ninety-eight (398) feet, thirteen and fifty-two hundredths (13.52) feet to a point; continuing thence southeasterly along the northeasterly line of Losson Road, one thousand one hundred fifty-seven and thirty-five hundredths (1157.35) feet to the point of beginning.

Upon roll call ....

Supervisor:

Weber

Voting AYE

Councilmen:

Johnson

Voting NAYE

W.P. Rogowski

Voting AYE

J.V. Rogowski

Voting AYE

Jaworowicz

Voting AYE

Kowal

Voting AYE

Gabryszak

Voting NAYE

AYES: 5

NAYES: 2

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 19, 1986, 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. 25c, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 26th day of May, 1986.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: May 29, 1986

III. DEPARTMENTAL COMMUNICATIONS

- Item No. 26a Minutes from meeting of Cheektowaga Public Library Board  
Received and Filed.
- Item No. 26b Minutes from meeting of Planning Board.  
Received and Filed.

IV. GENERAL COMMUNICATIONS

- Item No. 27a N.Y.S. Dept. of Trans. - Designation of Restricted Highway -  
construction of traffic signals at various intersections  
Received and Filed.
- Item No. 27b N.Y.S. Dept. of Trans. - Order regarding Master Controller on Transit  
and Como Park Blvd.  
Copies were sent to: Cheektowaga Town Board; Cheektowaga Traffic  
Safety Commission; Leonard J. Smolarek, Chief of Police  
Received and Filed.
- Item No. 28 SUMMONS & COMPLAINT - Penny Losal, infant by Helen Willard vs Kevin  
Riley, County of Erie, Town of Cheektowaga, William Cudmore III and  
David Urbanski  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,  
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,  
Accounting Department; Joseph J. Naples, Insurance Company; Alfred  
Wnek, Highway Superintendent.  
Received and Filed.
- Item No. 29a Notice of Claim - Cavages Inc. vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,  
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,  
Accounting Department; Alfred Wnek, Highway Superintendent; Joseph J.  
Naples, Insurance Carrier  
Received and Filed.
- Item No. 29b Notice of Claim - Thomas Wolf vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits,  
Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak,  
Accounting Department; Sewer Maintenance Department; Alfred Wnek,  
Highway Superintendent; Laverack/Haines, Insurance Carrier.  
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilman Jaworowicz, 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

\*\*\*\*\*

MEETING NO. 10  
May 19, 1986

Item No. 30 Motion by Councilman Kowal, Seconded by Councilman Jaworowicz

WHEREAS, a vacancy currently exists on the Cheektowaga Town Planning Board as a result of the death of Edward Ziarnowski, NOW, THEREFORE, BE IT

RESOLVED that Emil F. Lennert, be appointed to the unexpired term effective immediately, and to a term expiring 2-1-89.

Upon Roll Call....

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

Item No. 31 Motion by Supervisor Weber, Seconded by Councilman J. Rogowski to adjourn the meeting.

RICHARD M. MOLESKI  
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of June, 1986 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; Chester Bryan, Town Engineer; James Kirisits, Town Attorney; Casey Kozminski, Assessor; Sam LaGreca, Employment and Training Director II; Ronald Marten, Building Inspector; Julia Reinstein, Town Historian; Leonard J. Smolarek, Chief of Police; Donald Wegner, Chairman of Zoning Board of Appeals; Alfred Wnek, Highway Superintendent; and Patricia Wojcik, Recreation Supervisor, Senior Citizens.

#### I. RESOLUTIONS

Item No. 2 Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, Richard Zaleski has applied for a Special Permit for automobile rental, sales and light detail work on property located at 4900 Transit Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit (upon the following conditions):

1. There should be a prohibition on any other auto use except minor detailing, which includes washing, waxing, maintenance service and minor repairs.
2. Major collision, painting and major repairs shall be prohibited; and
3. Shrubs as specified on the plot plan submitted must be planted.

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 4900 Transit Road, Cheektowaga, New York, and has rendered a determination that the Special Permit will not have a significant effect on the environment,

Item No. 2 Cont'd.

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 following conditions:

1. Applicant shall submit drainage plans for such proposed development and property to the Town Engineer; such plans shall be acceptable to the Town Engineer.
2. There shall be adequate landscaping, shrubbery and other screening between the commercial automotive activity and the residences on Dubonnet Drive.
3. The sale of used automobiles (other than that incidental to applicant's car rental business) shall be prohibited. In addition there shall be not more than six vehicles advertised for sale at any one time.

MOTION BY COUNCILMAN JOHNSON SECONDED BY COUNCILMAN GABRYSZAK TO AMEND THE ABOVE RESOLUTION, 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

AMENDED RESOLUTION

Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, Richard Zaleski has applied for a Special Permit for automobile rental, sales and light detail work on property located at 4900 Transit Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit (upon the following conditions):

1. There should be a prohibition on any other auto use except minor detailing, which includes washing, waxing, maintenance service and minor repairs.
2. Major collision, painting and major repairs shall be prohibited; and
3. Shrubs as specified on the plot plan submitted must be planted.

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 4900 Transit Road, Cheektowaga, New York, 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 and the following conditions:

1. Applicant shall submit drainage plans for such proposed development and property to the Town Engineer; such plans shall be acceptable to the Town Engineer.
2. There shall be adequate landscaping, shrubbery and other screening between the commercial automotive activity and the

MEETING NO. 11  
June 2, 1986

Item No. 2 Cont'd

residences on Dubonnet Drive.

3. The sale of used automobiles (other than that incidental to applicant's car rental business) shall be prohibited. In addition there shall be not more than six vehicles advertised for sale at any one time.
4. No commercial automotive activity shall be permitted within 100 feet of Dubonnet residences.

\*SEE NEXT PAGE FOR COPY OF LEGAL DESCRIPTION

DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 45, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Commencing at a point distant 391 feet northerly in the westerly line of Transit Road as now laid out 100 feet wide from the point of intersection of the said westerly line of Transit Road and the southerly line of said Lot No. 45; thence westerly parallel with the southerly line of said Lot No. 45 300 feet to the southeast corner of lands conveyed to Losson Development Corp. by deed recorded in Erie County Clerk's Office in Liber 7340 of Deeds at page 9; thence northerly along the east line of said lands conveyed by aforesaid deed to Losson Development Corp., a distance of 146.23 feet to the south line of lands conveyed to Arthur Zuchowski and wife by deed recorded in Erie County Clerk's Office in Liber 6178 of Deeds at page 131; thence easterly and along the south line of said lands conveyed to Arthur Zuchowski and wife by the aforesaid deed a distance of 300 feet to the west line of Transit Road; thence southerly along the west line of Transit Road 146.23 feet to the point or place of beginning.

MEETING NO. 11  
June 2, 1986

Item No. 2 Cont'd.

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 AFFIDAVIT OF PUBLICATION

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

*Linda G. Gross*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication.....*June 5, 1986*..... ;  
last publication.....*June 5, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Gross*

Sworn to before me this *6<sup>th</sup>*.....

day of *June*....., 19*86*.

*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*

ie, State of New York, was e  
ld on June 2, 1986, and mi  
f said meeting have been de  
rded in the Minute Book by  
ccordance with law for the  
of recording the minutes  
ings of said Board, and  
utes appear at item 2, in-  
said book.  
compared the attached  
th said minutes so re-  
said extract is a true  
minutes and of the  
f insofar as said min-  
matters referred to  
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**LEGAL NOTICE  
EXTRACTS FROM MINUTES OF  
CHEEKTOWAGA TOWN BOARD  
(AMENDED RESOLUTION)**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of June 1986 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 Gabryszak

WHEREAS, Richard Zaleski has applied for a Special Permit for automobile rental, sales and light detail work on property located at 4900 Transit Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 7th day of April, 1986 at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law, and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit (upon the following conditions):

1. There should be a prohibition on any other auto use except minor detailing, which includes washing, waxing, maintenance service and minor repairs.

2. Major collision, painting and major repairs shall be prohibited; and

3. Shrubs as specified on the plot plan submitted must be planted.

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 4900 Transit Road, Cheektowaga, New York, 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 and the following conditions:

1. Applicant shall submit drainage plans for such proposed development and property to the Town Engineer; such plans shall be acceptable to the Town Engineer.

2. There shall be adequate landscaping, shrubbery and other screening between the commercial automotive activity and the residences on Dubonnet Drive.

3. The sale of used automobiles (other than that incidental to applicant's car rental business) shall be prohibited. In addition there shall be not more than six vehicles advertised for sale at any one time.

4. No commercial automotive activity shall be permitted within 100 feet of Dubonnet residences.

**DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 45, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Commencing at a point distant 391 feet northerly in the westerly line of Transit Road as now laid out 100 feet wide from the point of intersection of the said westerly line of Transit Road and the southerly line of said Lot No. 45; thence westerly parallel with the southerly line of said Lot No. 45, 300 feet to the southeast corner of lands conveyed to Losson Development Corp. by deed recorded in Erie County Clerk's Office in Liber 7340 of Deeds at page 9; thence northerly along the east line of said lands conveyed by aforesaid deed to Losson Development Corp., a distance of 146.23 feet to the south line of lands conveyed to Arthur Zuchowski and wife by deed recorded in Erie County Clerk's Office in Liber 6178 of Deeds at page 131; thence easterly and along the south line of said lands conveyed to Arthur Zuchowski and wife by the aforesaid deed a distance of 300 feet to the west line of Transit Road; thence southerly along the west line of Transit Road 146.23 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 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 June 2, 1986, 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 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of June, 1986.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: June 5, 1986

MEETING NO. 11  
June 2, 1986

Item No. 3A Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Angel Vangelov has made application and requested a Rezoning from R-Residential to RC-Restricted Business for property located at 4760 Union Road, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 16, 1986 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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

*Linda G. Pross*, 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 .....*June 5, 1986*..... ;  
last publication .....*June 5, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pross*

Sworn to before me this .....*6<sup>th</sup>*.....

day of .....*June*....., 19..*86*

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

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of June, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Angel Vangelov to Rezone from R-Residence District to RC-Restricted Business District on property located at 4760 Union Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL that certain parcel of land with the buildings and improvements thereon erected in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 19, Township 11, Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Cover Number 1693 is known and distinguished as Subdivision Lot Number thirty-eight (38) being situate on the west side of Union Road.

THIS CONVEYANCE is being made and accepted subject to all taxes, assessments and water rates which are liens on the above-described premises.

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: June 5, 1986**

MEETING NO. 11  
June 2, 1986

Item No. 3B Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Michael Wycoki has made application and requested a Rezoning from R-Residential to RC-Restricted Business for property located at 870 Borden Road, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 16, 1986 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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

*Linda G. Press*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication *June 5, 1986* ;  
last publication *June 5, 1986* ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Press*

Sworn to before me this *6<sup>th</sup>* .....

day of *June* ....., 19*86*..

*Cecelia Westoven* .....

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a **Public Hearing** will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of June, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Michael Wycoki to Rezone from R-Residence District to RC-Restricted Business District on property located at 870' Borden 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 part of Lot No. 48, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows.

**BEGINNING:** at a point in the centerline of Borden Road (80.0' wide) said point of Beginning being 533.78 feet south of the north line of Lot No. 48, T-10, R-7, as measured along the centerline of Borden Road from the north line of Lot No. 48.

**THENCE:** westerly, and parallel with the north line of Lot No. 48 a distance of 180.00 feet to a point.

**THENCE:** southerly, parallel with Borden Road a distance of 90.00 feet to a point.

**THENCE:** easterly and parallel with the north line of Lot No. 48, a distance of 180.00 feet to a point in the centerline of Borden Road.

**THENCE:** north along the centerline of Borden Road a distance of 90.00 feet to the point and place of beginning.

**EXCEPTING:** the portion of said premises within the Right of Way of Borden Road.

Containing 11,698.66 Squ. Ft.

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: June 5, 1986**

MEETING NO. 11  
June 2, 1986

Item No. 3C Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Josephine Federowicz has made application and requested a Rezoning from R-Residential to CM-General Commercial and a Special Use Permit for concrete and driveway business for property located at 555 Cayuga Creek Road, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 16, 1986 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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

*Linda G. Pura*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Click* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication ..... *June 5, 1986* ..... ;  
last publication ..... *June 5, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pura*

Sworn to before me this ..... *6<sup>th</sup>* .....

day of ..... *June* ....., 19..*86*

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

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of June, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Josephine Federowicz to Rezone from R-Residence District to CM-General Commercial District on property located at 555 Cayuga Creek 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 Lots Numbers sixty-six (66), sixty-seven (67), eighty-four (84) and eighty-five (85), Township Ten (10), Range Seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

**BEGINNING** at a point on the northerly line of Fronckowiak Avenue 198.34 feet easterly of the point of intersection of the northerly line of Fronckowiak Avenue and the easterly line of Cayuga Creek Road; thence easterly along the northerly line of Fronckowiak Avenue and continuing on a straight line to a point 151.20 feet easterly thence south  $27^{\circ}49'40''$  West 239.38 feet to a point; thence South  $16^{\circ}41'20''$  East 1055.25 feet, more or less, to the center of Cayuga Creek; thence northeasterly on the center line of Cayuga Creek to the point of intersection of the center line of Cayuga Creek and the east line of Lot 85; thence northerly on the east line of Lot 85, 50 feet, more or less, to a stone monument; thence north  $46^{\circ}$  West 1162.10 feet to a point; thence south  $36^{\circ}49'40''$  West 153.13 feet to the point or place of beginning.

The same containing 8.80 acres more or less.

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: June 5, 1986**

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

*Linda G. Pass*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clark* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks;  
first publication..... *June 5, 1986* ..... ;  
last publication..... *June 5, 1986* ..... ;  
and that no more than six days intervned be-  
tween publications.

*Linda G. Pass*

Sworn to before me this ..... *6<sup>th</sup>* .....

day of ..... *June* ....., 19 *86* .....

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

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of June, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Josephine Federowicz for a Special Permit to store vehicles used in business on property located at 555 Cayuga Creek 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**, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Numbers sixty-six (66), sixty-seven (67), eighty-four (84) and eighty-five (85), Township Ten (10), Range Seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

**BEGINNING** at a point on the northerly line of Fronckowiak Avenue 198.34 feet easterly of the point of intersection of the northerly line of Fronckowiak Avenue and the easterly line of Cayuga Creek Road; thence easterly along the northerly line of Fronckowiak Avenue and continuing on a straight line to a point 151.20 feet easterly thence south 27°49'40" West 239.38 feet to a point; thence South 18°41'20" East 1055.25 feet, more or less, to the center of Cayuga Creek; thence northeasterly on the center line of Cayuga Creek to the point of intersection of the center line of Cayuga Creek and the east line of Lot 85; thence northerly on the east line of Lot 85, 50 feet, more or less, to a stone monument; thence north 46° West 1162.10 feet to a point; thence south 36°49'40" West 153.13 feet to the point or place of beginning.

The same containing 8.80 acres more or less.

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

Councillmen:

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: June 5, 1986**

MEETING NO. 11  
June 2, 1986

Item No. 3D Motion by Councilman Jaworowicz Seconded by Councilman J. Rogowski

WHEREAS, Marks Auto Parts (Div. of Marks Disposal Service, Inc.) has made application and requested a Rezoning from R-Residential to CM-General Commercial and a Special Use Permit for used car sales for property located at 2009 William Street, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 16, 1986 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

\*SEE NEXT PAGE FOR AFFIDAVIT OF PUBLICATION.

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

*Linda M. Mars*, 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.....*June 5, 1986*..... ;  
last publication.....*June 5, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Mars*

Sworn to before me this .....*6<sup>th</sup>*.....

day of .....*June*....., 19.*86*..

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

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of June, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Mark's Auto Parts, Div. of Marks Disposal Service Inc. to Rezone from R-Residence District to CM-General Commercial District on property located at 2009 William Street 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 Number one hundred forty-seven (147), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as Subdivision lot Number five (5), in Block "B," as shown on subdivision map of "Strasmer Addition," made by Ellsworth Bros., Surveyors and filed in Erie County Clerk's Office under Cover Number 838, except part appropriate by notice of appropriation recorded in Erie County Clerk's Office in Liber 2324 of Deeds at Page 249. Being 30 feet in frontage, and 124.80 feet in depth.

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: June 5, 1986**

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

*Linda G. Ross*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication.....*June 5, 1986*..... ;  
last publication.....*June 5, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Ross*

Sworn to before me this .....*6<sup>th</sup>*.....

day of .....*June*....., 19.....*86*.....

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

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 16th day of June, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Marks Auto Parts, Div. of Marks Disposal Service Inc. for a Special Permit to conduct used car sales on property located at 2009 William Street 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 one hundred forty-seven (147), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as Subdivision lot Numbers one (1), two (2), three (3), four (4) and five (5), in Block "B," as shown on subdivision map of "Strasmer Addition," made by Ellsworth Bros., Surveyors and filed in Erie County Clerk's Office under Cover Number 838, except part appropriated by notice of appropriation recorded in Erie County Clerk's Office in Liber 2324 of Deeds at Page 249.

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: June 5, 1986**

MEETING NO. 11  
June 2, 1986

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

BE IT RESOLVED that a Public Hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on June 16, 1986 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 June 5, 1986 said amendments being set forth in the Notice of Hearing.

\*SEE NEXT PAGE FOR COPY OF 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 June 16, 1986 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
MARYWOOD DRIVE	East-west	OLD STONE ROAD	Northbound	S.E. Corner
MARYWOOD DRIVE	North-south	GARFIELD COURT	Eastbound	S.W. Corner

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

Dated: June 2, 1986



RICHARD M. MOLESKI  
Town Clerk

Item No. 3E Cont'd.

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 AFFIDAVIT OF PUBLICATION.

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

*Linda G. Pross*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication *June 5, 1986* ..... ;  
last publication *June 5, 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pross*

Sworn to before me this *6th* .....

day of *June* ....., 19*86* .....

*Cecelia Westover* .....

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

CECELIA WESTOVER  
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 June 16, 1986 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

**ARTICLE VIII**

**Stop and Yield Intersections 676-80.** Stop intersections shall be amended by adding thereto the following:

Street: MARYWOOD DRIVE;  
Direction: East-west; Entrance  
Street: OLD STONE ROAD; Traffic  
Stops: Northbound; Sign Location:  
S.E. Corner.

Street: MARYWOOD DRIVE;  
Direction: North-south; Entrance  
Street: GARFIELD COURT; Traffic  
Stops: Eastbound; Sign Location:  
S.W. Corner.

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

**RICHARD M. MOLESKI**

Town Clerk

**DATED: June 2, 1986**

**PUBLISH: June 5, 1986**

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

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of diesel fuel, unleaded gasoline, motor oils and miscellaneous oils, lubricants and anti-freeze for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, NY 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on June 16th, 1986 at the Cheektowaga Town Hall.

\*\*\*\*\*

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

The Town of Cheektowaga hereby requires sealed bids for the purchase of diesel fuel, unleaded gasoline, motor oil, anti-freeze, etc. for the use of the Cheektowaga Highway Department.

Specifications and information are available at the office of the Superintendent of Highways, Alfred F. Wnek, whose office is located at 3145 Union Road, Town of Cheektowaga NY 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, June 16th, 1986 at 11:00 A.M. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked, "SEALED BIDS FOR UNLEADED GASOLINE, DIESEL FUEL AND VARIOUS OILS AND LUBRICANTS, FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT".

The Town of Cheektowaga reserves the right to reject any or all bids if it be in the public interest of the Town of Cheektowaga to do so.

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

\_\_\_\_\_  
RICHARD M. MOLESKI  
Town Clerk

DATED: June 2, 1986

PUBLISHED: June 5, 1986

\*\*\*\*\*

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 AFFIDAVIT OF PUBLICATION.

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

*Linda M. Gors*, 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...*June 5, 1986*..... ;  
last publication...*June 5, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Gors*

Sworn to before me this .....*6<sup>th</sup>*.....

day of .....*June*....., 19..*86*..

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

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

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

**LEGAL NOTICE  
NOTICE TO BIDDERS  
TOWN OF CHEEKTOWAGA  
HIGHWAY DEPARTMENT**

The Town of Cheektowaga hereby requires sealed bids for the purchase of diesel fuel, unleaded gasoline, motor oil, antifreeze, etc. for the use of the Cheektowaga Highway Department.

Specifications and information are available at the office of the Superintendent of Highways, Alfred F. Wnek, whose office is located at 3145 Union Road, Town of Cheektowaga NY 14227.

In order to be considered, all bids must be filed with the undersigned Town Clerk, prior to the time of opening, June 16th, 1986 at 11:00 A.M. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also marked, "SEALED BIDS FOR UNLEADED GASOLINE, DIESEL FUEL AND VARIOUS OILS AND LUBRICANTS, FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

The Town of Cheektowaga reserves the right to reject any or all bids if it be in the public interest of the Town of Cheektowaga to do so.

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

**RICHARD M. MOLESKI**

Town Clerk

DATED: June 2, 1986

PUBLISH: June 5, 1986

MEETING NO. 11  
June 2, 1986

Item No. 4B Motion by Councilman Jaworowicz Seconded by Councilman Kowal

WHEREAS, by resolution dated April 21, 1986, this Town Board authorized the purchase, with State funding, of a Micro Vax II computer system for the Cheektowaga for the Cheektowaga Police Department, and

WHEREAS, to effectively make use of the space in the Records Room of the Police Department, where the computer will be placed, it is necessary that modular office furniture be purchased, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders for the purchase of office furniture for the Records Room in the Cheektowaga Police Department in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that information for bidders and specifications may be obtained from the Town Clerk's Office during regular business hours (9:00 a.m. to 4:30 p.m.), Mondays through Fridays, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is designated as the officer to open bids on the aforesaid office furniture, at 11:00 a.m. on June 16, 1986.

\*\*\*\*\*

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that, in accordance with Section 103 of the General Municipal Law of the State of New York, bid proposals will be received by the Town of Cheektowaga for the furnishing of office furniture for the Records Room for the Cheektowaga Police Department.

Copies of the information for bidders and specifications may be obtained and examined at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York during regular business hours from Monday through Friday, 9:00 a.m. to 4:30 p.m.

Sealed bid proposals must be submitted to the Town Clerk's Office on or before Monday, June 16, 1986 at 11:00 a.m., at which time, such bid proposals will be opened and read aloud by the Town Clerk. Proposals must be enclosed in a sealed opaque envelope marked "Bid for Office Furniture for Police Department."

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities, or to make an award for any combination of bid sections, or to make an award to other than the low bidder, should it be deemed to be in the best interests of the Town of Cheektowaga.

\_\_\_\_\_  
RICHARD M. MOLESKI  
Town Clerk

DATED: June 2, 1986

PUBLISHED: June 5, 1986

\*\*\*\*\*

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 AFFIDAVIT OF PUBLICATION

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

*Linda G. Pons*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
*Clerk* of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication.....*June 5, 1986*..... ;  
last publication.....*June 5, 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pons*

Sworn to before me this .....*6<sup>th</sup>*.....

day of .....*June*....., 19..*86*..

.....*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**

**NOTICE IS HEREBY GIVEN** that, in accordance with Section 103 of the General Municipal Law of the State of New York, bid proposals will be received by the Town of Cheektowaga for the furnishing of office furniture for the Records Room for the Cheektowaga Police Department.

Copies of the information for bidders and specifications may be obtained and examined at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York during regular business hours from Monday through Friday, 9:00 a.m. to 4:30 p.m.

Sealed bid proposals must be submitted to the Town Clerk's Office on or before Monday, June 16, 1966 at 11:00 A.M., at which time, such bid proposals will be opened and read aloud by the Town Clerk. Proposals must be enclosed in a sealed opaque envelope marked "Bid for Office Furniture for Police Department."

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities, or to make an award for any combination of bid sections, or to make an award to other than the low bidder, should it be deemed to be in the best interests of the Town of Cheektowaga.

**RICHARD M. MOLESKI**

Town Clerk

DATED: June 2, 1966

PUBLISH: June 5, 1966

MEETING NO. 11  
June 2, 1986

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

WHEREAS, by resolution dated April 21, 1986, this Town Board called for a public hearing for the purpose of considering the advisability of adopting Local Law No. 2 of the Year 1986 entitled "Vehicles, Removal and Storage" and of repealing Article XII of Chapter 76 of the Code of the Town of Cheektowaga relating to the removal and storage of vehicles, and

WHEREAS, such public hearing was duly held on May 5, 1986 and all parties in interest and citizens were given an opportunity to be heard and were heard, and

WHEREAS, by resolution dated May 19, 1986, this Town Board enacted Local Law No. 2 of the Year 1986, and

WHEREAS, this Town Board is also interested in repealing Article XII of Chapter 76 of the Code of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Chapter 76 of the Code of the Town of Cheektowaga be and hereby is repealed, and BE IT FURTHER

RESOLVED that the third "RESOLVED" paragraph of the aforementioned resolution of May 19, 1986 shall, due to a typographical error, be amended by adding thereto in between the words "that" and "Section" the words "Subdivision B.6."

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 W. Rogowski

WHEREAS, bids were received at a public bid opening on May 21, 1986 for the removal of sludge from Digester #5 at the obsolete Treatment Plant #5 in the Town of Cheektowaga, AND

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

WHEREAS, said analysis, tabulation and report is noted in a letter dated May 27, 1986 and is attached and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that the contract for the removal of sludge from Digester #5 be awarded to

R. B. U'Ren Equipment Rental Inc.  
7401 Buffalo Avenue, Niagara Falls, New York 14304

for:

Item I	Sludge removal/crew	\$1,386.00 per day
Item II	Hydrolaser/crew	\$ 954.00 per day

said bid being a responsible bidder meeting the requirements of the specifications.

\*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

RECEIVED  
1986 MAY 29 AM 11: 32

CHEEKTOWAGA  
TOWN CLERK

May 27, 1986

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

Award of Bid:  
Sludge Removal - Digester #5

Gentlemen:

On May 21, 1986 bids were received and opened for the removal of sludge from Digester #5 at the obsolete Treatment Plant #5 in the Town of Cheektowaga. Two (2) bidders submitted bids as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
R.B. U'Ren Equipment Rental Inc.	\$29,718.00
C.I.D. Refuse Service	\$31,250.00

In conclusion, it is recommended to this Town Board that the bid be awarded to R.B. U'Ren Equipment Rental Inc., 7401 Buffalo Ave., Niagara Falls, New York 14304 for the removal of sludge from Digester #5, said bid being the lowest bid meeting Town requirements.

This bid will be awarded on the basis of unit prices which are quoted as follows:

Item I	Sludge Removal/Crew	per day	\$ 1,384.00
Item II	Hydrolaser/Crew	per day	\$ 954.00

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

By: Allan B. Blachowski  
Sr. Engineer Assistant

ABB:mjh

MEETING NO. 11  
June 2, 1986

Item No. 6 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. 7A Motion by Councilman Johnson Seconded by Councilman Gabryszak

BE IT RESOLVED that Paul Kalczynski of be and hereby is terminated as a Seasonal Employee in the Sewer Maintenance Department effective June 16, 1986.

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 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

	<u>Effective</u>
Joseph Burgio	6/22/86
Richard Coffta	6/22/86
Douglas Dixon	6/22/86
John Kochel	6/22/86
Mark Cartenuto	5/18/86
Shawn Carlisle	immediately
Joseph Aradio	immediately

#01-007110-1-0-1391-001

Carol Brinkworth	6/22/86
------------------	---------

BUILDING MAINTENANCE DIVISION - #01-001625-1-0-1391-001

Linda Ruhland	6/22/86
---------------	---------

#01-001625-1-0-1491-001

Josephine Ratajczak	6/22/86
---------------------	---------

Upon Roll Call....

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

Item No. 8A Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, by resolution dated March 17, 1986, this Town Board created the position of "Real Property Appraisal Technician" in the Assessor's Department, and

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

WHEREAS, no qualified Town employee bid on such position, and

WHEREAS, such position was thereafter advertised in the local newspa-

MEETING NO. 11  
June 2, 1986

Item No. 8A Cont'd.

pers and applications therefor were received, and

WHEREAS, the Town Assessor reviewed such applications, conducted interviews and recommended that this Town Board appoint Kevin Gawel to the position of Real Property Appraisal Technician, NOW, THEREFORE, BE IT

RESOLVED that the following named individual be and hereby is appointed to the position of "Real Property Appraisal Technician" in the Assessor's Office, effective June 16, 1986, at a salary in accordance with the collective bargaining agreement between the Town and the Town of Cheektowaga Employees' Association:

Kevin Gawel

Cheektowaga, New York 14225

and, BE IT FURTHER

RESOLVED that such appointment shall be on a provisional basis, until such time as the results from a competitive civil service examination for such position are released.

Upon Roll Call....

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

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

WHEREAS, by resolution dated May 5, 1986, this Town Board created the position of Senior Clerk-Typist in the Office of the Building and Plumbing Inspector, and

WHEREAS, such position was duly posted in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, and

WHEREAS, Joyce E. Dalton was the only eligible employee from within the Office of the Building and Plumbing Inspector to apply for such position, and

WHEREAS, Joyce E. Dalton appears on the eligible list resulting from the promotional civil service examination for Senior Clerk-Typist, NOW, THEREFORE, BE IT

RESOLVED that Joyce E. Dalton of \_\_\_\_\_, Cheektowaga, New York 14225 be and hereby is appointed to the position of Senior Clerk-Typist in the Office of the Building and Plumbing Inspector, effective immediately, at a salary in accordance with the current collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association.

Upon Roll Call....

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

Item No. 8C Motion by Councilman Kowal Seconded by Councilman W. Rogowski

WHEREAS, a vacancy exists in the Cheektowaga Facilities Department Parks Division for the position of General Mechanic, AND

WHEREAS, Facilities Department employee, James Demblewski, currently a Maintenance Man, has exercised his seniority right to the vacant position of General Mechanic, NOW, THEREFORE, BE IT

MEETING NO. 11  
June 2, 1986

Item No. 8C Cont'd.

RESOLVED that James Demblewski of Apt. #4, Depew, New York, 14043, is hereby appointed to the position of General Mechanic in the Cheektowaga Facilities Department Parks Division.

Upon Roll Call....

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

Item No. 8D Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, a vacancy exists in the Cheektowaga Facilities Department Parks Division for the position of Maintenance Man vacated by James Demblewski, AND

WHEREAS, William Rieck, currently a General Mechanic in said Department, has exercised his option for a promotional opportunity based on experience and seniority, NOW, THEREFORE, BE IT

RESOLVED that William Rieck, of , Cheektowaga, New York, 14206 is hereby appointed to the position of Maintenance Man in the Cheektowaga Facilities Department Parks Division.

Upon Roll Call....

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

Item No. 8E Motion by Councilman W. Rogowski Seconded by Councilman J. Rogowski

WHEREAS, two (2) General Mechanic vacancies exist in the Cheektowaga Facilities Department Parks Division, NOW, THEREFORE, BE IT

RESOLVED that the following individuals are hereby appointed to the positions of General Mechanic effective June 4, 1986:

Francis Keefe	Winter Season 1st Shift Tues., Wed., Thurs., Fri., Sat.
Cheektowaga, NY 14225	Summer Season 1st Shift Mon., Tues., Wed., Thurs., Fri.
Raymond Bienik	Winter Season 2nd Shift Sun., Mon., Tues., Wes., Thurs.
Cheektowaga, New York 14206	Summer Season 1st Shift Mon., Tues., Wed., Sat., Sun.

Motion by Councilman Gabryszak Seconded by Councilman Johnson to table the above resolution and the voting was as follows:

Upon Roll Call....

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

\*THE ABOVE ITEM WAS TABLED!

Item No. 8F Appointment of Cleaner in Facilities Department.  
This item was withdrawn.

MEETING NO. 11  
June 2, 1986

Motion by Supervisor Weber, Seconded by Councilman Kowal to dispense with the reading of the names in items 9A, 9B, 9C, 9D.

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 W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1986 summer programs.

POOL DIRECTOR - \$285.00 per week - 9 weeks - A7180.1902

Brian Hansen

SPECIAL EVENTS SUPERVISOR - \$210.00 per week - 9 weeks - A7180.1902

John Hartman

POOL SUPERVISORS - \$185.00 per week - 9 weeks - A7180.1902

Town Park Pool

Thomas Gagola  
Charles Olday, Jr.

POOL SUPERVISORS - \$175.00 per week - 9 weeks - A7180.1902

Maryvale & Dingens Pools

David Gennocro  
Catherine Giles  
Michelle Kunkel  
Pamela Miller  
Michael Schlager

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

Martin Anger  
Charles Ashton  
Cheryl Ballo  
Elizabeth Barnas  
Stephan Blachowski  
Kathleen Bobeck  
Christopher Braden  
Arthur Caprio  
Jodi Colognino  
Shannon Connors  
Lisa Cook  
Gregory Czarnecki  
Nanette Epel  
Elizabeth Gagola  
Sharon Gandy  
Lisa Glasser  
Thomas Greulich  
Sandra Groszkowski  
Deborah Hartman  
Wendy Hartman  
Karen Healy  
Melissa Heath  
Pamela Heath  
Jill Horvatis  
Richard Horvatis  
Traci Howlett  
Laurie Kabel  
Douglas Kenjockety

Item No. 9A cont'd

Carl Kolasny  
Kimberly Kromer  
Kevin Kuehmeier  
Patty Kurpisz  
Sharon Lennert  
Lori Malkiewicz  
Mia Marsh  
Lynnette McNary  
Joelle Miranda  
Lisa Miranda  
Thomas Mohr  
Jean Ostrowski  
Paul Owens, Jr.  
Pamela Pytel  
Maureen Quattrone  
Todd Roland  
Brian Russ  
Charles Sinicki  
Eric Solberg  
Denise Szalasny  
Julie Szubinski  
Lisa Tufillaro  
Lucy Vero  
Annette Wheeler  
Leigh Wilkinson  
Douglas Wittig  
Angel Zachara  
Greg Zyla

LIFEGUARD ALTERNATES

Sheila Dombrowski  
Thomas Holt  
Liesner Johnson  
Janet Karaszewski  
Raymond Klein  
Dawn Mages

BASKET CHECKERS \$2.50 per hour - A7180.1901

John Bicherl  
Pamela Bochinski  
Carol Ciepiela  
Collette Culkowski  
Ronald Cyrankowski  
William Goldsmith  
Alexander Grierson  
Mark Hangen  
Ann Marie Jakubowski  
Kenneth Jarosz  
James Jietler  
Joanne Kazmierczak  
Kristin Kolbert  
Annemarie Kominiarek  
Cheryl Kosnik  
James Kotowski  
Jill Kotowski  
Phil Kubiak  
Thomas Laschinger  
Timothy Lawler  
Tracey Lorrens  
Heather Malcolm  
Brian Merritt  
Kelly Mitchell  
Kelly Ann Netzel  
Mark Paradowski  
Dennis Pieszala

Item No. 9A cont'd

Jeffrey Rybak  
Michael Schiffmacher  
Mark Shork  
Dawn Skrabski  
Jennifer Stock  
Jacqueline Stroud  
Tammy Sypniewski  
Jeff Szyklinski  
Denise Tasca  
Eric Thein  
Carol Thompson  
Daryl Torgalski  
Antonietta Vero  
John Waddell  
Joanne Weselak  
Bonny Willis

BASKET CHECKER ALTERNATES

Jason Hiscutt  
Dan Zuppa

PLAYGROUND SUPERVISORS - \$175.00 per week - A7140.1613

Brian Cleary  
Cynthia Gehl  
Mark Kensy  
Dean Lach  
Peter Odrobina  
Kathy Ritter  
Nadine Verga

ARTS & CRAFTS SUPERVISORS - \$175.00 per week - 9 weeks - A7140.1613

Samuel Burgio  
Susan Ciezak  
Mary Lou Czajka  
Robert Kozell  
Barbara Majchrzak  
Diane Nelson  
Karen Spaulding

RECREATION LEADERS - \$4.25 per hour - A7140.1614

Mark Cleary  
Julianne Conway  
Thomas Kazmierczak  
Nancy Kubiak  
Elaine Myszka  
Lawrence Giambelluca  
Susan Balogna

SPECIAL EVENTS SUPERVISORS -\$175.00 per week - 9 weeks - A7140.1613

Diane Catalfu  
Mary Beth Hopkins

SPECIAL EVENTS SUPERVISORS -\$5.00 per hour - A7140.1613

Kathryn Hartrick  
Sharon Kensy

ASSISTANT SOFTBALL COORDINATOR - \$5.00 per hour - A7140.1622

Richard Andrzejewski

MEETING NO. 11  
June 2, 1986

Item No. 9A cont'd

TENNIS COURT INSTRUCTORS - \$150.00 per week - A7140.1613

James Gerlock  
Joseph Kowalski  
Mark Kryszczak  
Michael Sacilowski  
Lynn Staszak

GYMNASTICS SUPERVISOR - \$5.50 per hour - A7140.1613

Colleen Tonsoline

ASSISTANT GYMNASTICS SUPERVISOR \$4.10 per hour - A7140.1615

Brian Wojnar

GYMNASTICS INSTRUCTORS \$3.35 per hour - A7140.1615

Patti Hartfield  
Kimberly Orschek  
Jeff Schneider  
Lori Strabel

SOCCER ATTENDANTS - \$3.35 per hour - A7140.1611

Paul Eggert  
Gianfranco Gallo  
Barbara Gemerek  
Matthew Haberl  
Robert Kowalewski  
Paul Dennis

SUMMER SCHOOL PROGRAM SUPERVISOR - \$4.25 per hour - A7140.1615

Thomas Ronald  
Richard Binner  
Christopher Luksch

SUMMER SCHOOL PROGRAM ATTENDANTS - \$3.35 per hour - A7140.1615

Patrick Griffin  
Robert Kryszak

EXERCISE INSTRUCTOR - \$5.00 per hour - A7140.1613

Beverly Nowicki

RECREATION ATTENDANTS - \$3.35 per hour - A7140.1614

Nina Baldyga  
Michael Benner  
Holly Biedron  
Amy Bollman  
Bradley Brownell  
David Bryk  
Brian Burch  
Scott Chamberlin  
Karen Chmura  
Michele Ciancio  
John Cywinski  
Dawn Delano  
William Dillemoth  
Dave Dietl  
Jennifer Donnelly  
Denine Dudas  
Gregory Florczak  
William Fronczak

Item No. 9A cont'd

Lisa George  
Lori Gill  
Rachel Gorski  
Margaret Griffin  
Mark Hangen  
Jeanine Hanner  
Julie Kaczorowski  
George Koczon  
Deborah Kolbert  
Paula Konczak  
Lisa Kostelny  
Paul Kozlowski  
Audrey Kubiak  
Keith Kuzara  
Carla Levorchick  
Timothy Lumadue  
Bill Lynch  
Jacqueline Malcolm  
Kames Mazurek  
Kathie McGowan  
Deanna McGuire  
Ronald Morcio  
Daniel Nash  
Thomas Nowak  
Susan Orr  
Roberta Paul  
Rose Picone  
Lisa Piepszny  
Amy Prindiville  
Pauline Przybylak  
Diane Raczyk  
Norine Reichert  
Fred Roll  
Tracy Ryan  
Susan Sansone  
John Schaefer  
Frederick Simmeth  
Kevin Slachciak  
Timothy Slachciak  
Kelly Stablewski  
Jeff Szyklinski  
Greg Szymanek  
Corinne Wirth  
Amy Skretny  
Kelley Sz wajkos

RECREATION ATTENDANT - ALTERNATES

Glenn Geddes  
Kurt Ozolins  
Peter Myhalenko  
Gina Pericozzi  
Jack Schreiber  
Patrick Cartenuto  
Joanna Lukowski  
Mark Kwandrans

FURTHER, BE IT RESOLVED that the above personnel be terminated effective September 1, 1986.

Upon Roll Call....

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

MEETING NO. 11  
June 2, 1986

Item No. 9B 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>MAIN PUMP STATION - \$3.35 per hour</u>	
Mark Burkhard	Immediately
Thomas Brudz	Immediately
Martin Lawler, Jr.	Immediately
<u>JUSTICE COURT - \$3.35 per hour</u>	
Jennifer Tokasz	<u>Effective</u> 6/23/86
Deanna McGuire	5/22/86 (retroactive)
<u>TOWN CLERK'S OFFICE - \$3.35 per hour</u>	
Lisa Ciepiela	Immediately
Kelly Jeffords	Immediately
Paula Ciminelli	Immediately
<u>SANITATION DEPARTMENT - \$3.10 per hour</u>	
David Marzak	Immediately
John Bartkowiak, Jr.	Immediately
Eric Kopacz	Immediately
Brian Szymanski	Immediately
John Brinkworth	Immediately
Richard Urbanski	5/14/86 (retro.)
<u>ASSESSOR'S OFFICE - \$3.35 per hour</u>	
Ann Marie Drennen	6/02/86

AND, BE IT

FURTHER RESOLVED that Robert Kowal of ,  
be and hereby is transferred from the Facilities Department - Parks  
Division, Account #01-007110-1-0-1491-001, to the Sanitation Department at a rate of  
\$3.10 per hour, 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. 9C Motion by Councilman J. Rogowski Seconded by Councilman Jaworowicz

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

WHEREAS, the Summer Youth Program starts on June 3rd, 1986, for the  
applicants that are out of school, participants work a maximum of 35 hours per week  
at \$3.35 per hour, and a termination date not to exceed September 30th, 1986, 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:

Amanti, Frank  
Anglum, Maureen  
Behun, Suzanne

MEETING NO. 11  
June 2, 1986

Item No. 9C cont'd

Blair, Paula	14225
Carroll, Carolyn	14225
Batch, Susan	14225
Colgrove, Christine	14225
Colgrove, Patricia	14225
Connors, David	14227
DeStefano, John	14225
Eagle, Peter	14227
Filippi, Peter	14225
Gawel, Martin	14043
Goodheart, Todd	14225
Gorski, Rachel	14227
Haskins, Denise	14225
Kazmierczak, James	14211
Knapik, Michelle	14225
Kulczyk, Daniel	14225
Kush, Robert	14206
Luman, Kim	14043
Luman, Pamela	14043
McCloskey, James	14225
McCloskey, Patrick	14225
Merlette, Barbara	14227
Militello, Michael	14227
Militello, Thomas	14227
Mohr, Kimberlee	14227
Oryszak, Jeffrey	14225
Pilski, Peter	14043
Radecki, Scott	14227
Rapp, Julie	14043
Ridolfi, James	14043
Stoklosa, Carie	14225
Taton, Edward	14227
Williams, Annette	14227
Williams, Maria	14227
Wittmeyer, Robert	14225
Wojnar, Brian	14227
Wright, Gary	14225
Zglinicki, Jacob	14212
Ziejewski, Robert	14212
Zipp, Jodi	14043

SUMMER YOUTH STAFF

Principal Counselor at a salary rate of \$8.80 per hour

Peter Tonsoline 14043

ADVISOR at a salary rate of \$5.50 per hour

Synthia LaBruno 14212

Upon Roll Call....

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

Item No. 9D Motion by Councilman W. Rogowski Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be hired for the Cheektowaga Conservation Corps at the salary rates and levels prescribed below:

SENIOR YOUTH LEADER - \$4.50 per hour - 8310.1812

Brian Mikler

14227

MEETING NO. 11  
June 2, 1986

Item No. 9D cont'd

YOUTH LEADERS - \$3.75 per hour - 7310.1812

Christopher Kowalewski	14043
Richard Musielak, Jr.	14043
Jeffrey Dibble	14227
Doreen Skowron	14212

BE IT FURTHER RESOLVED that the following individual be hired as a Recreation Attendant (Junior Counselor) in the Day Camp for the Developmentally Disabled Youth (7310.1802) at a salary rate of \$3.35 per hour, effective June 30, 1986:

Janine Ann Yeostros	14225
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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. 10 Motion by Councilman Gabryszak Seconded by Councilman Kowal

WHEREAS, Richard R. Basher, an employee in the Central Garage Department has applied for a Military Leave of Absence from June 7, 1986 through June 21, 1986, 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 provides for the payment of the salary of such public employee for a period of thirty (30) days while on said, military leave duty, NOW, THEREFORE, BE IT

RESOLVED that Richard R. Basher, an employee in the Central Garage is granted a military leave of absence from June 7, 1986 through June 21, 1986, 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, W.P. Rogowski, J.V. Rogowski, Jaworowicz, Kowal and Gabryszak  
NAYES: 0  
ABSENT: 0

Item No. 11A Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, Code Enforcement Officers are required by the New York State Department of State to complete a series of courses relating to code enforcement practices which are offered by said Agency, and

WHEREAS, Lawrence J. Kensy, Town Housing Inspector has completed the first three of a series of five such courses, and

WHEREAS, the fourth course series, entitled General Building Construction will be offered during the month of June, and

WHEREAS, these courses are offered at no cost to the Town, NOW, THEREFORE, BE IT

RESOLVED that Lawrence J. Kensy, Housing Inspector, be and hereby is authorized to attend the General Building Construction Course, as required by New

MEETING NO. 11  
June 2, 1986

Item No. 11A cont'd

York State, on the following days, said course to be held at the Erie County Fire Training Center on 3359 Broadway Avenue:

June 16, 17, 18 19: 9:00 A.M. to 4:00 P.M.

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 Motion by Councilman Jaworowicz Seconded by Councilman Gabryszak

WHEREAS, CONEXPO '87, one of the largest conventions held on highway equipment and management, will be held on February 22-26, 1987, and

WHEREAS, CONEXPO '87 is sanctioned by the Erie County Highway Superintendents Association, and

WHEREAS, Councilman Christopher Kowal and Superintendent of Highways Alfred Wnek have requested permission to attend CONEXPO '87, NOW, THEREFORE, BE IT

RESOLVED that Councilman Christopher Kowal and Highway Superintendent Alfred Wnek be and hereby are authorized to attend CONEXPO '87 from February 22-26, 1987, and BE IT FURTHER

RESOLVED that, in order to secure their registration, a deposit of \$100.00 (each) be paid by the Town prior to June 30, 1986 and the balance of the registration, not to exceed \$450.00 (each) be paid prior to August 1, 1986 out of the General Fund and the 1986 Highway Department Budget, (line item 03-045130-4-0-4082-001) respectively, and, BE IT FURTHER

RESOLVED that Councilman Kowal and Highway Superintendent Wnek be reimbursed by the Town out of the General Fund and 1987 Highway Department budget respectively, for their reasonable and necessary expenses in connection with their attendance at CONEXPO '87.

Upon Roll Call....

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

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

WHEREAS, the New York State Association of Traffic Safety Boards is holding its quarterly meeting in Albany, New York, on June 17 and 18, 1986, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has requested that its Chairman, Mr. Carl Perlino, attend said meeting and be reimbursed for any expenses associated with the meeting, NOW, THEREFORE, BE IT

RESOLVED that Mr. Carl Perlino be and hereby is authorized to attend the quarterly meeting of the New York State Associations of Traffic Safety Boards on June 17 and 18 and shall be reimbursed for all necessary and reasonable expenses not to exceed \$200.00

Upon Roll Call....

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

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

WHEREAS, this Town Board, by resolutions dated January 7, 1985, May 6, 1985 and March 3, 1986 requested the New York State Retirement System to transfer Frank Dux from Tier III to Tier II and to transfer John Banas from Tier II to Tier I, and

WHEREAS, this request was made because errors made previously incorrectly placed the aforesaid individuals in the wrong tiers for the purpose of retirement, and

WHEREAS, under New York State Law, the Town of Cheektowaga does not have the authority to change the tiers for the aforesaid Town employees, and

WHEREAS, Assembly Bill A.7333-B and Senate Bill S.5178-B have been introduced which would allow John Banas to transfer from Tier II to Tier I in the New York State Retirement System, and

WHEREAS, Assembly Bill A.7351-B and Senate Bill S.5310-B have been introduced which would allow Frank Dux to transfer from Tier III to Tier II in the New York State Retirement System, and

WHEREAS, this Town Board, pursuant to Section 40 of the Municipal Home Rule Law of the State of New York, may request the New York State Legislature to enact a special law relating to the property or affairs of the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby strongly requests the New York State Assembly to enact Assembly Bills A.7333-B and A.7351-B and the New York State Senate to enact Senate Bills S.5178-B and S.5310-B, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized to execute the Home Rule Request forms for the aforementioned Senate and Assembly bills, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to forward executed copies of such Home Rule Request forms to the State Senate, State Assembly, State Assemblyman Dennis T. Gorski and State Senator Dale M. Volker.

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 Jaworowicz Seconded by Councilman Kowal

WHEREAS, there is need to provide a new air conditioning unit for the southerly part of the Police & Court Building, which part of the building has been converted to a dispatch office and computer equipment facility, and

WHEREAS, there is also need to make improvements in the remainder of the Police & Court Building in order to provide for better distribution of cooling air, NOW, THEREFORE, BE IT

RESOLVED that the proposal, as submitted by the consulting firm of Babinsky-Klein Engineering, P.C. dated May 27, 1986 to the Town Engineer for the preparation of plans & specifications and for the provision of services during construction be and hereby is accepted and that the cost for said professional services in the amount of \$3,400. is to be charged to Federal Revenue Sharing Funds, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said proposal as submitted by Babinsky-Klein Engineering on behalf of this Town Board.

Item No. 13A 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. 13B Motion by Councilman Gabryszak Seconded by Councilman Johnson

WHEREAS, one of the objectives of the Northeast Communities Solid Waste Management Board (The Board) is to find environmentally sound and cost efficient alternatives for the management and disposal of solid wastes, and

WHEREAS, by resolution dated November 18, 1985, this Town Board authorized the Town to act as the lead agency for all activities involved in the preparation of a final feasibility study and preliminary engineering work concerning the development of a waste-to-energy facility at Wende, and

WHEREAS, all of the municipalities comprising the Board, including the Town of Cheektowaga, have appropriated sufficient funds for the preparation of such feasibility study and engineering work, and

WHEREAS, the firm of Barton and Loguidice, P.E., consulting engineers and land surveyors, has agreed to do the necessary feasibility study within budgeted funding therefor,

NOW, THEREFORE, BE IT RESOLVED that the Supervisor be and hereby is authorized to execute, for and on behalf of the Town of Cheektowaga, a municipal cooperation agreement between the Town and the other members of the Northeast Communities Solid Waste Management Board concerning the Town's rights and responsibilities in representing the board in relation to the consultant contract for a final feasibility study and preliminary engineering work on the development of a waste to energy project, and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is further authorized to execute the agreement for engineering services for solid waste management planning and project development between the Board and Barton and Loguidice, P.C.

Upon Roll Call....

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

Item No. 13C Motion by Councilman Johnson Seconded by Councilman Gabryszak

WHEREAS, Pine Hill Fire District No. 5 will be holding their Inspection Day Ceremonies on Saturday, June 7, 1986, AND

WHEREAS, Pine Hill Fire District No. 5, as part of their Inspection Day Ceremonies, will be sponsoring a parade on Saturday, June 7, 1986, commencing at 6:30 p.m., AND

WHEREAS, the parade will begin at the Pine Hill Fire Company on Genesee Street, proceed south on Normandy to Peachtree, east on Peachtree to Kaufman, south on Kaufman to Parkedge, west on Parkedge to Pine Ridge Road, north on Pine Ridge Road to Herbert, west on Herbert to Avery, north on Avery to Genesee Street, east on Genesee Street to the Pine Hill Fire Company, 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.

Item No. 13c 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. 13D Motion by Councilman Kowal Seconded by Councilman Gabryszak

WHEREAS, the Town Superintendent of Highways has requested permission to dispose of Diamond Reo truck #37 due to the fact that he believes such truck to be obsolete, no longer needed by the Town and having little or no market value, and

WHEREAS, the Village of Depew is interested in purchasing such truck from the Town for \$100.00, and

WHEREAS, the Town Superintendent of Highways has recommended that such truck be sold to the Village of Depew for \$100.00, NOW, THEREFORE, BE IT

RESOLVED that the offer of the Village of Depew to purchase the Highway Department's Diamond Reo truck #37 be and hereby is accepted, and BE IT FURTHER

RESOLVED that the appropriate Town Officer execute any forms and papers necessary to effectuate the sale of such truck to the Village of Depew.

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 Town of Cheektowaga Police Department is desirous of using four horses owned by three of its police officers at various times throughout the year for public relations work and official business, and

WHEREAS, the Town is presently self-insured for liability damages, and

WHEREAS, by resolution dated March 17, 1986, this Town Board enacted Local Law No. 1 of the Year 1986, entitled "Defense and Indemnification of Town Officers and Employees" to provide for the legal defense and indemnification of Town employees, and

WHEREAS, this Town Board wishes to clarify and confirm its intent to protect Patrolmen Daniel Kean, Thomas Wentland and Carl Hendle from liability for actions commenced against them concerning the use of their horses for Town events, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby agrees to provide for the defense and financial protection of Patrolmen Daniel Kean, Thomas Wentland and Carl Hendle from state or federal civil actions or proceedings commenced against them as a result of an act or omission occurring while their horses are performing services for 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

MEETING NO. 11  
June 2, 1986

Item No. 15 Motion by Councilman Johnson Seconded by Unanimous

WHEREAS, the State of New York has jurisdiction and maintenance responsibility for the Kensington Expressway, a State highway, and

WHEREAS, the Town of Cheektowaga currently installs and maintains street lighting standards and pays the utility charges for light standards on that portion of the Kensington Expressway that is located in the Town, and

WHEREAS, the cost of maintaining street light standards on the Kensington Expressway has become exorbitant, and

WHEREAS, this Town Board feels that the responsibility for street light charges for the Kensington Expressway should be placed on the State of New York, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the State of New York to assume responsibility for street lighting on the Kensington Expressway, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Mr. Donald H. Ketchum, Regional Director of the New York State Department of Transportatin at 125 Main Street, Buffalo, New York 14203.

Upon Roll Call....

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

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

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

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

WHEREAS, this Town Board desires to license such drivers/attendants, NOW, THEREFORE, BE IT

RESOLVED that the applicants for drivers/attendants licenses set forth on the annexed schedule are hereby approved for licensing by this Town Board for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHER

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

\*SEE NEXT PAGE FOR COPY OF DRIVER/ATTENDANT LICENSEES

Driver/Attendant Licenses

<u>NAME</u>	<u>ADDRESS</u>	<u>EMT CARD EXPIRES</u>	<u>AMBULANCE EMPLOYER</u>
Margaret L. Bosworth		1/31/89	Gold
Joe A. Buccilli		5/31/88	Town
John L. Hilliard, Jr.		3/31/88	Town
John T. Forbes		12/31/86	Gold
Raymond H. Henderson		3/31/89	Town

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

WHEREAS, on the 7th day of May, 1985, this Town Board adopted an Ambulance Ordinance which, among other things, provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga, and for the creation of an Emergency Medical Services Board (EMS Board), and

WHEREAS, the EMS Board has completed a review and evaluation of the various license renewal applications submitted for drivers/attendants, and has recommended that the Town Board renew such licenses, and

WHEREAS, this Town Board desires to renew such drivers/attendants licenses, NOW, THEREFORE, BE IT

RESOLVED that the recommendations of EMS Board concerning the renewal of licenses for drivers/attendants shown on the attached list be and hereby are accepted and approved, and BE IT FURTHER

RESOLVED that the renewal applications for drivers/attendants set forth on the annexed schedule be and hereby are approved for a period to expire upon the expiration of such driver's/attendant's Emergency Medical Technician ("EMT") card, and BE IT FURTHER

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

\*SEE NEXT PAGE FOR COPY OF RENEWAL LICENSEES

Driver/Attendant License Renewals

<u>NAME</u>	<u>ADDRESS</u>	<u>EMT CARD EXPIRES</u>	<u>AMBULANCE EMPLOYER</u>
Charles R. Schnurstein		12/31/87	Town
Charles M. Confer		5/31/87	Gold
Kimberly Faith Fedkiw		5/31/88	Gold
Michael J. Swanekamp		3/31/87	Town
James Hamerski		3/31/88	Gold
Phillip A. Bobrowski (attendant only)		12/31/88	Gold

Item No. 16B 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. 16C 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:

269 Danbury Drive	-	\$ 756.00
334 Terrace Blvd.	-	\$3,521.00

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. 16D Motion by Councilman J. Rogowski Seconded by Councilman Kowal

WHEREAS, a subdivision map known as Marczak Subdivision was submitted to the Town of Cheektowaga for approval, and

WHEREAS, the Town Engineering Department has reviewed Marczak Subdivision and has recommended approval thereof subject to the conveyance to the Town of a fifteen foot wide by 396 plus or minus foot long drainage easement to the west of this subdivision, and

WHEREAS, by letter dated November 15, 1984, the Town Superintendent of Highways recommended approval of such subdivision subject to certain conditions, and

WHEREAS, the sublots of this subdiviision front on Kennedy Road, an existing Town highway, NOW, THEREFORE, BE IT

Item No. 16D Cont'd.

RESOLVED that Marczak Subdivision be and hereby is approved by this Town Board, subject to the approval of the aforesaid drainage easement by the Town Attorney's Office and further subject to the conditions contained in the November 15, 1984 letter of the Town Superintendent of Highways, attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to record the aforementioned drainage easement when approved by it in the Erie County Clerk's Office.

\*SEE NEXT PAGE FOR COPY OF LETTER FROM TOWN 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  
November 15, 1984

HON. DANIEL E. WEBER, SUPERVISOR  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA, NY 14227

Re: Approval of Engineer's Plans for Marczak Subdivision

GENTLEMEN:

Mr. Chester L. Bryan, Town Engineer, Mr. Thadeus Skowron, Highway Department Engineer, and I have reviewed the plans for the Marczak Subdivision and find that they conform to the requirements as set forth by the Town of Cheektowaga, including:

1. A properly designed drainage system. Design data has been submitted.
2. Planting a tree by the builder, in front of each house within one year of construction. The information on type of tree to be planted can be obtained from the Highway Department office.
3. The three lots in this subdivision are located on the west side of Kennedy Road (existing), at the north end of the street. Sublots 1-2-3.
4. The essential storm drain easement should be filed with the town and drainage ditch must be cut to the grade as shown on the plans.
5. Building permits are to specify the requirement of tree planting.

I recommend approval of the Engineer's Plans for the "Marczak Subdivision" as filed with the Town Engineer and my office.

RECEIVED

NOV 16 1984

TOWN ATTORNEY

Very truly yours,  
*Alfred F. Wnek*  
ALFRED F. WNEK  
HIGHWAY SUPERINTENDENT

AFW: ts;erp

cc: Town Engineer  
Town Attorney  
Building Inspector  
Highway Engineer  
Town Clerk

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



Item No. 16D 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. 16E Motion by Supervisor Weber Seconded by Councilman J. Rogowski

WHEREAS, property located at the northwest corner of Transit Road and North Transit Hill Drive is currently zoned RC-Restricted Business District, and

WHEREAS, Peter Santin Development Company has proposed to construct a ten-unit apartment complex on such property, and

WHEREAS, Section 82-71 of the Code of the Town of Cheektowaga requires that a development plan be submitted to and accepted by this Town Board prior to the issuance of any building permits, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal and has recommended approval thereof subject to compliance with the development and landscaping plan dated 4-21-86, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed such proposal and has found same to be environmentally non-significant provided that the Town is conveyed an easement for access to Slate Bottom Creek, NOW, THEREFORE, BE IT

RESOLVED that the site plan dated 4-21-86 submitted by Peter Santin Development Company be and hereby is approved, subject to compliance with the conditions as recommended by the Environmental Advisory Committee 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. 17 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 lot, property located at 1000 Cleveland Drive, Cheektowaga, New York (SBL#80.19-6-15) and according to the Assessors' Office is owned by Anthony Jaje, 529 Huxley Drive, 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, W.P. Rogowski, J.V. Rogowski,  
Jaworowicz, Kowal and Gabryszak  
NAYES: 0  
ABSENT: 0

MEETING NO. 11  
June 2, 1986

Item No. 18 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: 1440.4538 (Engineering-Rodent Control) \$ 1,600.00  
To: 1440.4581 (Engineering-Consulting Engineers) \$ 1,600.00

FEDERAL REVENUE SHARING FUND

From: 599.00 (Appropriated Fund Balance) \$ 6,999.00  
599.00 (Appropriated Fund Balance) \$35,400.00  
To: 8540.4561 (Drainage and Erosion Control-Outside Service) \$ 6,999.00  
1622.2511 (Police Bldg.-Air Conditioning) \$35,400.00

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. 19 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 June 2nd, 1986 are hereby approved and the Supervisor is ordered to pay said warrants.

FUND	AMOUNT
GENERAL FUND	\$1,586,094.35
SPECIAL DISTRICTS FUND	580,341.68
HIGHWAY FUND	259,785.23
FEDERAL REVENUE SHARING FUND	7,481.00
CAPITAL FUND	60,820.00
TRUST AND AGENCY FUND	4,050.00
HUD-CDBG FUND	430.89
HUD-NPP FUND	555.00
PART TOWN FUND	44,766.40
	<u>\$2,544,324.55</u>

Upon Roll Call....

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

II. FROM THE TABLE

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

WHEREAS, pursuant to the authority contained in Article X, Section 82-70 of the Code of the Town of Cheektowaga, this Town Board initiated a proposal to rezone areas along Losson Road to a zoning classification compatible with existing and proposed residential development in the area, and

WHEREAS, said proposal is part of a comprehensive zoning plan designed to allow Losson Road to be built up in a residential manner, as it currently is being developed, and

WHEREAS, such proposed rezonings will also protect existing and pro-

Item No. 20 Cont'd.

posed residential development in that it will exclude incompatible uses from the area, and

WHEREAS, pursuant to the provisions of the Town Law of the State of New York and the Code of the Town of Cheektowaga, public hearings concerning the above-mentioned rezonings were duly held on the 6th day of January, 1986 at 6:30 P.M. and on the 3rd day of March, 1986 at 6:30 P.M., at the Cheektowaga Town Hall, at which hearings all parties in interest and citizens had an opportunity to be heard and were heard by this Town Board, and

WHEREAS, the Cheektowaga Planning Board has reviewed the proposal to rezone areas along Losson Road and has recommended that such areas be rezoned as planned, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga has also reviewed the aforementioned proposal and has stated that such rezonings will not have a significant effect on the environment and that such areas would thereby become more in line with existing uses and surrounding zonings, and

WHEREAS, this Town Board has duly evaluated and considered the verbal and written comments it received from residents and property owners in the Town concerning its proposal to rezone areas along Losson Road, and

WHEREAS, this Town Board still believes that it is in the best interests of the Town and the area along Losson Road to rezone the below-listed properties to their respective zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED that the following described areas along Losson Road be and hereby are rezoned as follows:

and BE IT FURTHER

RESOLVED that the Zoning Map and Ordinance of the Town of Cheektowaga be amended in accordance with the above, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the owners of properties which are being rezoned pursuant to this resolution.

MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN J. ROGOWSKI TO TABLE THE ABOVE ITEM UNTIL JULY 7, 1986, and the voting was as follows:

Upon roll call.....

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

THE ABOVE ITEM WAS TABLED UNTIL JULY 7, 1986.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Building Permits.  
Received and filed.

IV. GENERAL COMMUNICATIONS

Item No. 22 Erie County Department of Public Works: Designation of Restricted Highway: Part of Dick Road from Walden Avenue to Genesee Street.  
Received and filed.

Item No. 23A Notice of Claim: State Farm Mutual as subrogee for Louise Lipome vs. Town of Cheektowaga.

Item No. 23A Cont'd.

Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph Naples, Town's Insurance Carrier; Ronald Zoeller, Sanitation Foreman.  
Received and filed.

Item No. 23B

Notice of Claim: Donald W. Abram, President of El-Don Battery, Inc. vs. Town of Cheektowaga.

Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph Naples, Town's Insurance Carrier; and Ronald Zoeller, Sanitation Department.  
Received and filed.

Item No. 24

Flooding problem complaint regarding property at 241 Commodore Terrace.

Copies of this complaint were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph Naples & Laverack & Haines, Town's Insurance Carriers; Jim Burst, Foreman, Sewer Maintenance Department; and Alfred Wnek, Highway Superintendent.  
Received and filed.

\*\*\*\*\*

Motion by Councilman Kowal Seconded by Councilman Johnson to suspend the rules to include the following item, and the voting was as follows:

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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V. SUSPENSION OF RULES

Item No. 25 Offer to County of Erie for purchase of land off Walden Avenue

Motion by Councilman W. Rogowski Seconded by Councilman Kowal

WHEREAS, the County of Erie, pursuant to a tax foreclosure proceeding, became the owner of a 50.24 acre vacant parcel of land south of Walden Avenue and west of Harlem Road, known as 1019 Walden Avenue, and

WHEREAS, such land is further described on the Assessor's Maps as being S.B.L. numbers 101.04-1-1.1 and 101.60-8-10.1, and

WHEREAS, such land is of no use to the County of Erie and is burdensome for it to keep free of weeds and debris, and

WHEREAS, the Town is interested in acquiring such land, NOW,  
THEREFORE, BE IT

RESOLVED that this Town Board hereby offers the County of Erie the sum of \$500.00 for such land, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga hereby promises that, if the County of Erie conveys such land to the Town, the Town will clean up the debris and weeds on the property and keep same clean so that it does not become a nuisance, and BE IT FURTHER

Item No. 25 Cont'd.

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Mr. Robert T. Dombrowski, Commissioner of Finance of the County of Erie, at 95 Franklin Street, Buffalo, New York 14202; and to Mr. Richard A. Slisz, County Legislator, at 25 Delaware Avenue, Buffalo, New York 14202.

Upon Roll Call....

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

Item No. 26 Motion by Supervisor Weber Seconded by Councilman Kowal to adjourn  
the meeting.

RICHARD M. MOLESKI  
TOWN CLERK

PUBLIC HEARINGS at 6:30 P.M.

<u>NO.</u>	<u>ITEM</u>
	<u>Meeting No. 12 June 16, 1986</u>
1	870 Borden Road - Rezoning from R-Residential to RC-Restricted Business
2	555 Cayuga Creek Road - Rezoning from Residential to CM-General Commercial and Special Use Permit for concrete and driveway business
3	4760 Union Road - Rezoning from R-Residential to RC-Restricted Business
4	2009 William Street - Rezoning from R-Residential to CM-General Commercial and a Special Use Permit for used car sales

PUBLIC HEARING

NO.

ITEM

PAGE

Meeting No. 12 June 16, 1986

2 Amendment to Traffic Ordinance - Art. VIII "Stop & Yield Intersections" - MARYWOOD DRIVE

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

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
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	3. Improvement of Recreational Facilities in town	3
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	6. Purchase and installation of traffic signal lights	6
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9	Establishment and payment of purchase price for access road to Cheektowaga Volunteer Firemen's Memorial Park	21
10	Acceptance of sanitary sewer plans and easements regarding same to Cloverleaf Lane	22
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12	Acceptance of proposal of Nussbaumer & Clarke regarding Roycroft Pump Station Improvements	22-23
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14	Approval of Housing Rehabilitation Loan funds	23-24
15	Authorization to submit application to N.Y.S. for Rental Rehabilitation Program Funds	24
16	request N.Y.S. Legislature and Governor to enact Assembly Bill Nos. 7351-d and 7353-d	24
17	Authorization for Supervisor to execute agreement with Cheektowaga Historical Association	25
18	Authorization for Sewer Maintenance Dept. to install "Deaf Child Area" signs where necessary	26
19	retain firm regarding appraisal for Nob Hill	26
20	Authorization for Sewer Maintenance employee to attend school	26-27
21	Promotion to position of Captain in Police Department	27
22	Appointment to Planning Board	27

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
23	TERMINATIONS: a. Seasonal employees in Facilities b. Senior Services c. Seasonal employees in Various Departments	27 27-28 28
24	HIRING OF SUMMER/SEASONAL EMPLOYEES: a. Buffalo-Cheektowaga Tonawanda Consortium Summer Youth Program b. Facilities Department c. Recreation Department (summer programs) d. Youth Bureau Cheektowaga Conservation Corps Program e. Various Departments	28-33 33-34 34-35 35-36 36
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DEPARTMENTAL COMMUNICATIONS

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

NO.

ITEM

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Meeting No. 12 June 16, 1986

34 Retain appraisal services regarding will of Dr. Victor Reinstein

39-40

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 June, 1986 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; Julia Reinstein, Town Historian; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector; Jerry Gabryszak, Community Development Director; Michael Stachowski, Deputy Town Attorney; Leonard Smolarek, Chief of Police; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Director-Senior Citizens; Ron Zoeller, Working Foreman-Sanitation Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
MARYWOOD DRIVE	East-west	OLD STONE ROAD	Northbound	S.E. Corner
MARYWOOD DRIVE	North-South	GARFIELD COURT	Eastbound	S.W. Corner

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

II. RESOLUTIONS

Item No. 3a-1 Bond and Capital Note Resolution authorizing resurfacing of various Town Streets

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resolution)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,  
New York

June 16, 1986

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock P.M. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;

and

Thomas M. Johnson, Jr.

Councilpersons:

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

There were absent:

Also present: Richard Moleski, Town Clerk

James J. Kirisits, Town Attorney

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\*

\*

Councilman Kowal

offered the following resolution

and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE RESURFACING OF VARIOUS TOWN STREETS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,850,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$242,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$4,607,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to resurface various Town streets, including reconstruction of roadways, drainage and gutters. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,850,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$242,500 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$4,607,500 serial bonds of the Town to finance the balance of said appropriation, and the levy and

collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$242,500 to pay the required down payment, and Serial bonds of the Town in the principal amount of \$4,607,500, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$4,607,500 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20(d) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes

issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman Johnson and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Councilman Kowal offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the resurfacing of various Town streets, stating the estimated maximum cost thereof is \$4,850,000, appropriating said amount therefor, and authorizing the issuance of \$242,500 capital notes to provide the required down payment, and authorizing the issuance of \$4,607,500 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to resurface various Town streets, including reconstruction of roadways, drainage and gutters; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,850,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$242,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$4,607,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$242,500 capital notes to provide the required down payment and \$4,607,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$4,607,500 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

\*

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\*

The adoption of the foregoing resolution was seconded by  
Councilman Johnson and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

Richard M. Moleski  
Town Clerk

(SEAL)

TC  
STATE OF NEW YORK )  
                              : SS.:  
COUNTY OF ERIE        )

RICHARD MOLESKI, being duly sworn, deposes and says:

That he/she is and at all times hereinafter mentioned  
he/she was the duly appointed, qualified and acting Town Clerk of  
the Town of Cheektowaga, in the County of Erie, State of New  
York;

That on June 17, 1986, he/she has caused to be  
conspicuously posted and fastened up a Notice setting forth an  
abstract of the bond and capital note resolution duly adopted by  
the Town Board on June 16, 1986, a copy of which is annexed  
hereto and made a part hereof on the sign board of the Town  
maintained pursuant to the Town Law.

Richard M. Moleski  
Town Clerk

Subscribed and sworn to before me  
this 17<sup>th</sup> day of June, 1986.

Jean A. Rosenberry  
Notary Public, State of New York

JEAN A. ROSENBERRY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 19 88

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the resurfacing of various Town streets, stating the estimated maximum cost thereof is \$4,850,000, appropriating said amount therefor, and authorizing the issuance of \$242,500 capital notes to provide the required down payment, and authorizing the issuance of \$4,607,500 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to resurface various Town streets, including reconstruction of roadways, drainage and gutters; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,850,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$242,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$4,607,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$242,500 capital notes to provide the required down payment and \$4,607,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$4,607,500 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing the resurfacing of various Town streets, stating the estimated maximum cost thereof is \$4,850,000, appropriating said amount therefor, and authorizing the issuance of \$242,500 capital notes to provide the required down payment, and authorizing the issuance of \$4,607,500 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said

Town this 17<sup>th</sup> day of July,

1986

Richard M. Molaski  
Town Clerk

(SEAL)

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

*Linda G. Bros*, 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..... JUN 19 1986..... ;  
last publication..... JUN 19 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Bros*

Sworn to before me this .....20<sup>th</sup>.....

day of .....June....., 19.86..

*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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the resurfacing of various Town streets, stating the estimated maximum cost thereof is \$4,850,000, appropriating said amount therefor, and authorizing the issuance of \$242,500 capital notes to provide the required down payment, and authorizing the issuance of \$4,607,500 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to resurface various Town streets, including reconstruction of roadways, drainage and gutters; and **STATING** the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,850,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$242,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$4,607,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$242,500 capital notes to provide the required down payment and \$4,607,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$4,607,500 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**  
Town Clerk

DATED: June 16, 1986

PUBLISH: June 19, 1986

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

Ronald L. Beckelman, 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.....JUL 24 1986..... ;  
last publication.....JUL 24 1986..... ;  
and that no more than six days intervened be-  
tween publications.

Ronald L. Beckelman

Sworn to before me this .....25<sup>th</sup>.....

day of .....July....., 1986.

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

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

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

**LEGAL NOTICE  
NOTICE**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE RESURFACING OF VARIOUS TOWN STREETS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,850,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$242,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$4,607,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES** (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to resurface various town streets, including reconstruction of roadways, drainage and gutters. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,850,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$242,500 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$4,607,500 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$242,500 to pay the required down payment, and Serial bonds of the Town in the principal amount of \$4,607,500, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$4,607,500 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20(d) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 32.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the

renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**

Town Clerk

PUBLISH: July 24, 1986

Item No. 3a-2 Bond and Capital Note Resolution authorizing Road construction,  
reconstruction and resurfacing

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resoluton)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,  
New York  
June 16, 1986

\* \* \*

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock P.M. (Prevailing Time).

There were present: ~~Hon.~~ Daniel E. Weber, Supervisor;  
and

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

There were absent:

Also present: Richard Moleski, Town Clerk  
James J. Kirisits, Town Attorney

\* \* \*

Councilman Kowal offered the following resolution  
and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING ROAD CONSTRUCTION, RECONSTRUCTION AND RESURFACING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$585,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$29,250 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$555,750 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to reconstruct and resurface the Town Hall roadway exit and the Senior Citizen Center parking lot; reconstruct Town Park Road; and construct the Stiglmeier Park parking lot. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$585,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$29,250 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$555,750 serial bonds of

the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$29,250 to pay the required down payment, and serial bonds of the Town in the principal amount of \$555,750, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$555,750 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20(d) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes

issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman Gabryszak and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Councilman Kowal offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing road construction, reconstruction and resurfacing, stating the estimated maximum cost thereof is \$585,000, appropriating said amount therefor, and authorizing the issuance of \$29,250 capital notes to provide the required down payment, and authorizing the issuance of \$555,750 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to reconstruct and resurface the Town Hall roadway exit and the Senior Citizen Center parking lot; reconstruct Town Park Road; and construct the Stiglmeier Park parking lot; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$585,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$29,250 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$555,750 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$29,250 capital notes to provide the required down payment and \$555,750 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$555,750 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

\*

\*

\*

The adoption of the foregoing resolution was seconded by  
Councilman Gabryszak and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

*Richard M. Moleski*  
Town Clerk

(SEAL)

T.C.

STATE OF NEW YORK )  
  : ss.:  
COUNTY OF ERIE        )

RICHARD MOLESKI, being duly sworn, deposes and says:

That he/she is and at all times hereinafter mentioned he/she was the duly appointed, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on June 17, 1986, he/she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond and capital note resolution duly adopted by the Town Board on June 16, 1986, a copy of which is annexed hereto and made a part hereof on the sign board of the Town maintained pursuant to the Town Law.

*Richard M. Moleski*  
Town Clerk

Subscribed and sworn to before me  
this 17<sup>th</sup> day of June, 1986.

*Jean A. Rosenberry*  
Notary Public, State of New York  
JEAN A. ROSENBERRY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 1988

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing road construction, reconstruction and resurfacing, stating the estimated maximum cost thereof is \$585,000, appropriating said amount therefor, and authorizing the issuance of \$29,250 capital notes to provide the required down payment, and authorizing the issuance of \$555,750 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to reconstruct and resurface the Town Hall roadway exit and the Senior Citizen Center parking lot; reconstruct Town Park Road; and construct the Stiglmeier Park parking lot; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$585,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$29,250 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$555,750 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$29,250 capital notes to provide the required down payment and \$555,750 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$555,750 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing road construction, reconstruction and resurfacing, stating the estimated maximum cost thereof is \$585,000, appropriating said amount therefor, and authorizing the issuance of \$29,250 capital notes to provide the required down payment, and authorizing the issuance of \$555,750 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said  
Town this 17<sup>th</sup> day of July, 1986.

Richard M. Maleski  
Town Clerk

(SEAL)

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

*Linda G. Sears*, 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.....**JUN 19 1986**..... ;  
last publication.....**JUN 19 1986**..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Sears*

Sworn to before me this .....*20<sup>th</sup>*.....

day of .....*June*....., 19...*86*..

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

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

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

**LEGAL NOTICE  
TOWN OF CHEEKTOWAGA  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing road construction, reconstruction and resurfacing, stating the estimated maximum cost thereof is \$585,000, appropriating said amount therefor, and authorizing the issuance of \$29,250 capital notes to provide the required down payment, and authorizing the issuance of \$555,750 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to reconstruct and resurface the Town Hall roadway exit and the Senior Citizen Center parking lot; reconstruct Town Park Road; and construct the Stiglmeier Park parking lot; and **STATING** the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$585,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$29,250 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$555,750 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$29,250 capital notes to provide the required down payment and \$555,750 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$555,750 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**

Town Clerk

DATED: June 16, 1986

PUBLISH: June 19, 1986

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

Ronald L. Buckelmann, 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 ..... JUL 24 1986 ..... ;  
last publication ..... JUL 24 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

Ronald L. Buckelmann

Sworn to before me this ..... 25<sup>th</sup> .....

day of ..... July ....., 19 86.

..... 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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING ROAD CONSTRUCTION, RECONSTRUCTION AND RESURFACING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$585,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$29,250 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$555,750 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:**

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to reconstruct and resurface the Town Hall roadway exit and the Senior Citizen Center parking lot; reconstruct Town Park Road; and construct the Steiglmeier Park parking lot. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$585,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$29,250 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$29,250 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$29,250 to pay the required down payment, and serial bonds of the Town in the principal amount of \$555,750, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$555,750 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20 (d) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds issued and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**

Town Clerk

PUBLISH: July 24, 1986

Item No. 3a-3 Bond and Capital Note Resolution authorizing improvement of  
Recreational Facilities in the Town

\* See next pages for resolution

AFFIDAVIT - NEXT PAGE (after resolution)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,

New York

June 16, 1986

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock P.M. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;  
and

Councilpersons:

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

There were absent:

Also present:

Richard Moleski, Town Clerk

James J. Kirisits, Town Attorney

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Councilman W.P. Rogowski offered the following resolution  
and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE IMPROVEMENT OF RECREATIONAL FACILITIES IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$46,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,300 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$43,700 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct improvements at Stiglmeier Park, including sewer and water line construction. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$46,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,300 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$43,700 serial bonds of the Town to finance the balance of said appropriation, and the levy and

collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$2,300 to pay the required down payment, and serial bonds of the Town in the principal amount of \$43,700, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$43,700 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said

notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman J.V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

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Councilman W.P. Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the improvement of recreational facilities in the Town, stating the estimated maximum cost thereof is \$46,000, appropriating said amount therefor, and authorizing the issuance of \$2,300 capital notes to provide the required down payment, and authorizing the issuance of \$43,700 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct improvements at Stiglmeier Park, including sewer and water line construction; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$46,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$2,300 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$43,700 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,300 capital notes to provide the required down payment and \$43,700 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$43,700 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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\*

The adoption of the foregoing resolution was seconded by  
Councilman J.V. Rogowski and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

*Richard M. Moleski*  
Town Clerk

(SEAL)



TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the improvement of recreational facilities in the Town, stating the estimated maximum cost thereof is \$46,000, appropriating said amount therefor, and authorizing the issuance of \$2,300 capital notes to provide the required down payment, and authorizing the issuance of \$43,700 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct improvements at Stiglmeier Park, including sewer and water line construction; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$46,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$2,300 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$43,700 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,300 capital notes to provide the required down payment and \$43,700 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$43,700 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing the improvement of recreational facilities in the Town, stating the estimated maximum cost thereof is \$46,000, appropriating said amount therefor, and authorizing the issuance of \$2,300 capital notes to provide the required down payment, and authorizing the issuance of \$43,700 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said  
Town this 17<sup>th</sup> day of July, 1986.

Richard M. Moleski  
Town Clerk

(SEAL)

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

*Linda G. Stross*, 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..... JUN 19 1986 ..... ;  
last publication..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Stross*

Sworn to before me this ..... 20<sup>th</sup> .....

day of ..... June ....., 19..86..

*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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the improvement of recreational facilities in the Town, stating the estimated maximum cost thereof is \$46,000, appropriating said amount therefor, and authorizing the issuance of \$2,300 capital notes to provide the required down payment, and authorizing the issuance of \$43,700 serial bonds of said Town to finance the balance of said appropriation," an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to construct improvements at Stiglmeier Park, including sewer and water line construction; and **STATING** the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$46,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$2,300 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$43,700 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$2,300 capital notes to provide the required down payment and \$43,700 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$43,700 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**  
Town Clerk

DATED: June 16, 1986  
PUBLISH: June 19, 1986

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

*Ronald L. Bickelman*....., 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..... *JUL 24 1986*..... ;  
last publication..... *JUL 24 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Ronald L. Bickelman*.....

Sworn to before me this ..... *25<sup>th</sup>*.....

day of ..... *July*....., 19 *86*.....

..... *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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE  
RESOLUTION OF THE TOWN OF  
CHEEKTOWAGA, NEW YORK,  
ADOPTED JUNE 16, 1986,  
AUTHORIZING THE IMPROVE-  
MENT OF RECREATION  
FACILITIES IN THE TOWN,  
STATING THE ESTI-  
MATED MAXIMUM COST  
THEREOF IS \$46,000, AP-  
PROPRIATING SAID AMOUNT  
THEREFOR, AND AUTHORIZ-  
ING THE ISSUANCE OF \$2,300  
CAPITAL NOTES TO PROVIDE  
THE REQUIRED DOWN PAY-  
MENT, AND AUTHORIZING THE  
ISSUANCE OF \$43,700 SERIAL  
BONDS OF SAID TOWN TO FI-  
NANCE THE BALANCE OF SAID  
APPROPRIATION.**

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct improvements at Stiglmeier Park, including sewer and water line construction. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$46,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,300 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$43,700 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$2,300 to pay the required down payment, and serial bonds of the Town in the principal amount of \$43,700, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$43,700 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a, 19(c) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**  
Town Clerk

PUBLISH: July 24, 1986

Item No. 3a-4 Bond and Capital Note Resolution authorizing Fire Safety Improvements  
in Various Town Buildings

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resolution)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,  
New York  
June 16, 1986

\* \* \*

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock P.M. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;  
and

Councilpersons:

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

There were absent:

Also present:

Richard Moleski, Town Clerk

James J. Kirisits, Town Attorney

\* \* \*

Councilman W.P. Rogowski offered the following resolution  
and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING FIRE SAFETY IMPROVEMENTS IN VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$56,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,800 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$53,200 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct improvements to the fire safety systems in various Town buildings, including the installation of smoke detectors, to comply with current Federal regulations. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$56,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,800 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$53,200 serial bonds of the Town to

finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$2,800 to pay the required down payment, and Serial bonds of the Town in the principal amount of \$53,200, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$53,200 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 56 of the Law, is ten (10) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said

notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman J.V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Councilman W.P. Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, in the County of Erie, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, in the County of Erie, New York, adopted June 16, 1986, authorizing fire safety improvements in various Town buildings, stating the estimated maximum cost thereof is \$56,000, appropriating said amount therefor, and authorizing the issuance of \$2,800 capital notes to provide the required down payment, and authorizing the issuance of \$53,200 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct improvements to the fire safety systems in various Town buildings, including the installation of smoke detectors, to comply with current Federal regulations; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$56,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$2,800 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$53,200 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,800 capital notes to provide the required down payment and \$53,200 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is ten (10) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$53,200 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

\*

\*

\*

The adoption of the foregoing resolution was seconded by  
Councilman J.V. Rogowski and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

Richard M. Moleski  
Town Clerk

(SEAL)

14  
STATE OF NEW YORK )  
                          : ss.:  
COUNTY OF ERIE     )

RICHARD MOLESKI, being duly sworn, deposes and says:

That he/~~she~~ is and at all times hereinafter mentioned he/~~she~~ was the duly appointed, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on June 17, 1986, he/~~she~~ has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond and capital note resolution duly adopted by the Town Board on June 16, 1986, a copy of which is annexed hereto and made a part hereof on the sign board of the Town maintained pursuant to the Town Law.

Richard M. Moleski  
Town Clerk

Subscribed and sworn to before me  
this 17<sup>th</sup> day of June, 1986.

Jean A. Rosenberry  
Notary Public, State of New York  
JEAN A. ROSENBERRY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 19 88

TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, in the County of Erie, New York, adopted June 16, 1986, authorizing fire safety improvements in various Town buildings, stating the estimated maximum cost thereof is \$56,000, appropriating said amount therefor, and authorizing the issuance of \$2,800 capital notes to provide the required down payment, and authorizing the issuance of \$53,200 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct improvements to the fire safety systems in various Town buildings, including the installation of smoke detectors, to comply with current Federal regulations; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$56,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$2,800 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$53,200 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,800 capital notes to provide the required down payment and \$53,200 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is ten (10) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$53,200 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, in the County of Erie, New York, June 16, 1986, authorizing fire safety improvements in various Town buildings, stating the estimated maximum cost thereof is \$56,000, appropriating said amount therefor, and authorizing the issuance of \$2,800 capital notes to provide the required down payment, and authorizing the issuance of \$53,200 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said

Town this 17<sup>th</sup> day of July,  
1986.

Richard M. Molecki  
Town Clerk

(SEAL)

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

*Linda G. Suro*, 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 ..... JUN 19 1986 ..... ;  
last publication ..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Suro*

Sworn to before me this ..... 20<sup>th</sup> .....

day of ..... June ..... , 19 86 .....

..... *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  
TOWN OF CHEEKTOWAGA  
IN THE COUNTY OF ERIE  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, in the County of Erie, New York, adopted June 16, 1986, authorizing fire safety improvements in various Town buildings, stating the estimated maximum cost thereof is \$56,000, appropriating said amount therefor, and authorizing the issuance of \$2,800 capital notes to provide the required down payment, and authorizing the issuance of \$53,200 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to construct improvements to the fire safety systems in various Town buildings, including the installation of smoke detectors, to comply with current Federal regulations; and **STATING** the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$56,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$2,800 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$53,200 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$2,800 capital notes to provide the required down payment and \$53,200 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the period of probable usefulness of the specific object or purpose is ten (10) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$53,200 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**

Town Clerk

DATED: June 16, 1986

PUBLISH: June 19, 1986

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

*Ronald L. Beckelman*, 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 ..... JUL 24 1986 ..... ;  
last publication ..... JUL 24 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Ronald L. Beckelman*

Sworn to before me this ..... 25<sup>th</sup> .....

day of ..... July ....., 19 86 .....

..... *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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING FIRE SAFETY IMPROVEMENTS IN VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$56,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,800 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$53,200 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct improvements to the fire safety systems in various Town buildings, including the installation of smoke detectors to comply with current Federal regulations. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$56,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,800 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$53,200 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**  
Town Clerk  
PUBLISH: July 24, 1986

Section 2. Capital notes of the Town in the principal of \$2,800 to pay the required down payment, and serial bonds of the Town in the principal amount of \$53,200, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$53,200 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 56 of the Law, is ten (10) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Item No. 3a-5 Bond and Capital Note Resolution authorizing improvements to various  
Town Buildings

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resolution)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,  
New York

June 16, 1986

\* \* \*

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock P.M. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;  
and

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

There were absent:

Also present: Richard Moleski, Town Clerk  
James J. Kirisits, Town Attorney

\* \* \*

Councilman W.P. Rogowski offered the following resolution

and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING IMPROVEMENTS TO VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$224,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$11,200 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$212,800 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to install additional air-conditioning at the Senior Citizens' Building; reconstruction, in part, of the Town Hall; and install air-conditioning at the Losson Community Center, and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$224,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$11,200 capital notes to

provide the down payment required by the Law, as hereinafter defined, and the issuance of \$212,800 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$11,200 to pay the required down payment, and serial bonds of the Town in the principal amount of \$212,800, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. a of the Law; and the period of probable usefulness of said class of objects or purposes for which said \$212,800 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of

sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing

the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman J.V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Councilman W.P. Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing improvements to various Town buildings, stating the estimated maximum cost thereof is \$224,000, appropriating said amount therefor, and authorizing the issuance of \$11,200 capital notes to provide the required down payment, and authorizing the issuance of \$212,800 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to install additional air-conditioning at the Senior Citizens' Building; reconstruction, in part, of the Town Hall; and install air-conditioning at the Losson Community Center and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$224,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$11,200 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$212,800 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$11,200 capital notes to provide the required down payment and \$212,800 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the existing building is of Class "B" construction and the period of probable usefulness of the class of objects or purposes is ten (10) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or

purposes; and the proposed maturity of said \$212,800 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

\*

\*

\*

The adoption of the foregoing resolution was seconded by Councilman J. V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

*Richard M. Moleski*  
Town Clerk

(SEAL)

10  
STATE OF NEW YORK )  
  : ss.:  
COUNTY OF ERIE     )

RICHARD MOLESKI, being duly sworn, deposes and says:

That he/~~she~~ is and at all times hereinafter mentioned  
he/~~she~~ was the duly appointed, qualified and acting Town Clerk of  
the Town of Cheektowaga, in the County of Erie, State of New  
York;

That on June 17, 1986, he/~~she~~ has caused to be  
conspicuously posted and fastened up a Notice setting forth an  
abstract of the bond and capital note resolution duly adopted by  
the Town Board on June 16, 1986, a copy of which is annexed  
hereto and made a part hereof on the sign board of the Town  
maintained pursuant to the Town Law.

Richard M. Moleski  
Town Clerk

Subscribed and sworn to before me

this 17<sup>th</sup> day of June, 1986.

Jean A. Rosenberry  
Notary Public, State of New York  
JEAN A. ROSENBERY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 1988

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing improvements to various Town buildings, stating the estimated maximum cost thereof is \$224,000, appropriating said amount therefor, and authorizing the issuance of \$11,200 capital notes to provide the required down payment, and authorizing the issuance of \$212,800 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to install additional air-conditioning at the Senior Citizens' Building; reconstruction, in part, of the Town Hall; and install air-conditioning at the Losson Community Center and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$224,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$11,200 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$212,800 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$11,200 capital notes to provide the required down payment and \$212,800 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the existing building is of Class "B" construction and the period of probable usefulness of the class of objects or purposes is ten (10) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or

purposes; and the proposed maturity of said \$212,800 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

T.A.

STATE OF NEW YORK )  
  : ss.:  
COUNTY OF ERIE        )

RICHARD MOLESKI, being duly sworn, deposes and says:

That he/~~she~~ is and at all times hereinafter mentioned he/she was the duly appointed, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on ~~June 17~~, June 17, 1986, he/she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond and capital note resolution duly adopted by the Town Board on June 16, 1986, a copy of which is annexed hereto and made a part hereof on the sign board of the Town maintained pursuant to the Town Law.

*Richard M. Moleski*  
Town Clerk

Subscribed and sworn to before me  
this 17<sup>th</sup> day of June, 1986.

*Jean A. Rosenberry*  
Notary Public, State of New York  
JEAN A. ROSENBERY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 19 88

TC  
Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing improvements to various Town buildings, stating the estimated maximum cost thereof is \$224,000, appropriating said amount therefor, and authorizing the issuance of \$11,200 capital notes to provide the required down payment, and authorizing the issuance of \$212,800 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said

Town this 17<sup>th</sup> day of July,  
1986.

Richard M. Molestki  
Town Clerk

(SEAL)

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

*Linda M. Siro*, 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 *JUN 19 1986* ;  
last publication *JUN 19 1986* ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Siro*

Sworn to before me this *20th*

day of *June*, 19*86*.

*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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing improvements to various Town buildings, stating the estimated maximum cost thereof is \$224,000, appropriating said amount therefor, and authorizing the issuance of \$11,200 capital notes to provide the required down payment, and authorizing the issuance of \$212,800 serial bonds of said Town to finance the balance of said appropriation," an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof is as follows:

FIRST: AUTHORIZING said Town to install additional air-conditioning at the Senior Citizens' building; reconstruction, in part, of the Town Hall; and install air-conditioning at the Losson Community Center and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$224,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$11,200 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$212,800 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$11,200 capital notes to provide the required down payment and \$212,800 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the existing building is of Class "B" construction and the period of probable usefulness of the class of objects or purposes is ten (10) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$212,800 serial bonds will exceed five (5) years.

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

RICHARD MOLESKI

Town Clerk

DATED: June 16, 1986

PUBLISH: June 19, 1986

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

*Ronald L. Bickelman*, 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.....*JUL 24 1986*..... ;  
last publication.....*JUL 24 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Ronald L. Bickelman*

Sworn to before me this .....*25<sup>th</sup>*.....

day of .....*July*....., 19..*86*..

.....*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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING IMPROVEMENTS TO VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$224,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$11,200 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$212,800 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES** (by the favorable vote of not less than two-thirds of all the members of said Town Board) **AS FOLLOWS:**

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to install additional air-conditioning at the Senior Citizens Building; reconstruction, in part, of the Town Hall; and install air-conditioning at the Losson Community Center, and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used. The estimated maximum cost of said specific class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$224,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$11,200 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$212,800 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$11,200 to pay the required down payment, and serial bonds of the Town in the principal amount of \$212,800, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. a of the Law, and the period of probable usefulness of said class of objects or purposes for which said \$212,800 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and

bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the

Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the

sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**  
Town Clerk  
PUBLISH: July 24, 1986

Item No. 3a-6 Bond and Capital Note Resolution authorizing purchase and installation of traffic signal lights

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resolution)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
New York

June 16, 1986

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A regular meeting of the Town Board of the Town of Cheektowaga, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock P.M. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;  
and

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

There were absent:

Also present: Richard Moleski, Town Clerk  
James J. Kirisits, Town Attorney

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Councilman W.P. Rogowski offered the following resolution  
and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN  
OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16,  
1986, AUTHORIZING THE PURCHASE AND  
INSTALLATION OF TRAFFIC SIGNAL LIGHTS, STATING  
THE ESTIMATED MAXIMUM COST THEREOF IS \$61,000,  
APPROPRIATING SAID AMOUNT THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$3,050 CAPITAL  
NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT,  
AND AUTHORIZING THE ISSUANCE OF \$57,950 SERIAL  
BONDS OF SAID TOWN TO FINANCE THE BALANCE OF  
SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK,  
HEREBY RESOLVES (by the favorable vote of not less than two-  
thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, New York (herein  
called "Town"), is hereby authorized to purchase and install  
traffic signal lights at the Town Hall exit on Union Road. The  
estimated maximum cost of said specific object or purpose,  
including preliminary costs and costs incidental thereto and the  
financing thereof, is \$61,000 and said amount is hereby  
appropriated therefor. The plan of financing includes the  
issuance of \$3,050 capital notes to provide the down payment  
required by the Law, as hereinafter defined, and the issuance of  
\$57,950 serial bonds of the Town to finance the balance of said  
appropriation, and the levy and collection of taxes on all the  
taxable real property in the Town to pay the principal of said

bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$3,050 to pay the required down payment, and serial bonds of the Town in the principal amount of \$57,950, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$57,950 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 72(a) of the Law, is twenty (20) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said

notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman J. V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Councilman W.P. Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the purchase and installation of traffic signal lights, stating the estimated maximum cost thereof is \$61,000, appropriating said amount therefor, and authorizing the issuance of \$3,050 capital notes to provide the required down payment, and authorizing the issuance of \$57,950 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to purchase and install traffic signal lights at the Town Hall exit on Union Road; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$61,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$3,050 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$57,950 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$3,050 capital notes to provide the required down payment and \$57,950 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is twenty (20) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$57,950 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the

renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

\*

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\*

The adoption of the foregoing resolution was seconded by  
Councilman J. V. Rogowski and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

*Richard M. Moleski*  
Town Clerk

(SEAL)



TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the purchase and installation of traffic signal lights, stating the estimated maximum cost thereof is \$61,000, appropriating said amount therefor, and authorizing the issuance of \$3,050 capital notes to provide the required down payment, and authorizing the issuance of \$57,950 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to purchase and install traffic signal lights at the Town Hall exit on Union Road; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$61,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$3,050 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$57,950 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$3,050 capital notes to provide the required down payment and \$57,950 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is twenty (20) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$57,950 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the

renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing the purchase and installation of traffic signal lights, stating the estimated maximum cost thereof is \$61,000, appropriating said amount therefor, and authorizing the issuance of \$3,050 capital notes to provide the required down payment, and authorizing the issuance of \$57,950 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17<sup>th</sup> day of July, 1986.

(SEAL)

Richard M. Molaski  
Town Clerk

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

*Linda G. Jones*, 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..... JUN 19 1986 ..... ;  
last publication..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this ..... 20<sup>th</sup> .....

day of ..... June ....., 19 86 .....

*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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the purchase and installation of traffic signal lights, stating the estimated maximum cost thereof is \$61,000, appropriating said amount therefor, and authorizing the issuance of \$3,050 capital notes to provide the required down payment, and authorizing the issuance of \$57,950 serial bonds of said Town to finance the balance of said appropriation," an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to purchase and install traffic signal lights at the Town Hall exit on Union Road; and **STATING** the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$61,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$3,050 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$57,950 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$3,050 capital notes to provide the required down payment and \$57,950 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the period of probable usefulness of the specific object or purpose is twenty (20) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$57,950 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**

Town Clerk

DATED: June 16, 1986

PUBLISH: June 19, 1986

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

Ronald L. Bickelman, 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..... JUL 24 1986 ..... ;  
last publication..... JUL 24 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

Ronald L. Bickelman

Sworn to before me this ..... 25<sup>th</sup> .....

day of ..... July ....., 19 86 .....

..... 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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE PURCHASE AND INSTALLATION OF TRAFFIC SIGNAL LIGHTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$61,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$3,050 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$57,950 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:**

Section 1. The Town of Cheektowaga, New York (herein called "Town"), is hereby authorized to purchase and install traffic signal lights at the Town Hall exit on Union Road. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$61,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,050 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$57,950 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$3,050 to pay the required down payment, and serial bonds of the Town in the principal amount of \$57,950, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$57,950 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 72 (a) of the Law, is twenty (20) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and

bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount.

The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**

Town Clerk

PUBLISH: July 24, 1986

Item No. 3a-7 Bond and Capital Note Resolution authorizing partial reconstruction  
of various Town Buildings,

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resolution)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,

New York

June 16, 1986

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at 7:00 o'clock <sup>P</sup>.M. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;  
and

Councilpersons:

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

There were absent:

Also present:

Richard Moleski, Town Clerk

James J. Kirisits, Town Attorney

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Councilman W.P. Rogowski offered the following resolution  
and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE PARTIAL RECONSTRUCTION OF VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$78,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$3,900 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$74,100 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to reconstruct, in part, various Town buildings, consisting of roof reconstruction, and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,900 capital notes to provide the down payment required by the Law, as

hereinafter defined, and the issuance of \$74,100 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$3,900 to pay the required down payment, and serial bonds of the Town in the principal amount of \$74,100, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. b of the Law, and the period of probable usefulness of said class of objects or purposes for which said \$74,100 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of

sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing

the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman J.V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Councilman W.P. Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the partial reconstruction of various Town buildings, stating the estimated maximum cost thereof is \$78,000, appropriating said amount therefor, and authorizing the issuance of \$3,900 capital notes to provide the required down payment, and authorizing the issuance of \$74,100 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to reconstruct, in part, various Town buildings, consisting of roof reconstruction and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$3,900 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$74,100 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$3,900 capital notes to provide the required down payment and \$74,100 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the existing buildings are of at least Class "B" construction and the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects

or purposes; and the proposed maturity of said \$74,100 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by  
Councilman J.V. Rogowski and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

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CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said  
Town of Cheektowaga this 16th day of  
June, 1986.

*Richard M. Moleski*  
Town Clerk

(SEAL)



TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the partial reconstruction of various Town buildings, stating the estimated maximum cost thereof is \$78,000, appropriating said amount therefor, and authorizing the issuance of \$3,900 capital notes to provide the required down payment, and authorizing the issuance of \$74,100 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to reconstruct, in part, various Town buildings, consisting of roof reconstruction and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$3,900 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$74,100 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$3,900 capital notes to provide the required down payment and \$74,100 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the existing buildings are of at least Class "B" construction and the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects

or purposes; and the proposed maturity of said \$74,100 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing the partial reconstruction of various Town buildings, stating the estimated maximum cost thereof is \$78,000, appropriating said amount therefor, and authorizing the issuance of \$3,900 capital notes to provide the required down payment, and authorizing the issuance of \$74,100 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at

any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said  
Town this 17<sup>th</sup> day of July, 1986.

Richard M. Molaski  
Town Clerk

(SEAL)

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie,  
New York

June 16, 1986

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Cheektowaga, New York, on June 16, 1986 at ~~7:00~~ o'clock p.m. (Prevailing Time).

There were present: Hon. Daniel E. Weber, Supervisor;  
and

Councilpersons:

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

There were absent:

Also present:

Richard Moleski, Town Clerk

James J. Kirisits, Town Attorney

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Councilman W. P. Rogowski offered the following resolution  
and moved its adoption:

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

*Linda G. Bero*, 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..... JUN 19 1986 ..... ;  
last publication..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Bero*

Sworn to before me this ..... 20th .....

day of ..... June ....., 19.86..

..... *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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

**PLEASE TAKE NOTICE** that on June 16, 1936, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1936, authorizing the partial reconstruction of various Town buildings, stating the estimated maximum cost thereof is \$78,000, appropriating said amount therefor, and authorizing the issuance of \$3,900 capital notes to provide the required down payment, and authorizing the issuance of \$74,100 serial bonds of said Town to finance the balance of said appropriation," an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to reconstruct, in part, various Town buildings, consisting of roof reconstruction and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and **STATING** the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$3,900 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$74,100 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$3,900 capital notes to provide the required down payment and \$74,100 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the existing buildings are of at least Class "B" construction and the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$74,100 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**  
Town Clerk

DATED: June 18, 1936  
PUBLISH: June 19, 1936

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

Ronald L. Beckelman, 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..... JUL 24 1986 ..... ;  
last publication..... JUL 24 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

Ronald L. Beckelman

Sworn to before me this ..... 25<sup>th</sup> .....

day of ..... July ....., 19 86..

..... 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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE PARTIAL RECONSTRUCTION OF VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$78,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$3,900 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$74,100 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES** (by the favorable vote of not less than two-thirds of all the members of said Town Board) **AS FOLLOWS:**

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to reconstruct, in part, various Town buildings, consisting of roof reconstruction, and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purposes for which said building is to be used. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,900 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$74,100 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$3,900 to pay the required down payment, and serial bonds of the Town in the principal amount of \$74,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing buildings are of at least Class "B" construction as defined by Section 11.00 a, 11. b of the Law, and the periods of probable usefulness of said class of objects or purposes for which said \$74,100 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a, 12 (a)(2) of the Law, are fifteen(15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount.

The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**

Town Clerk

PUBLISH: July 24, 1986

Item No. 3A-8 Bond and Capital Note Resolution authorizing embellishment of  
Recreational Facilities in the Town

\* See next pages for Resolution

AFFIDAVIT - NEXT PAGE (after resolution)

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE EMBELLISHMENT OF RECREATIONAL FACILITIES IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$350,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$17,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$332,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to improve and embellish playground equipment, volley ball and street hockey courts, shelters, bleachers, and swimming pools at various Town parks. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$350,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$17,500 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$332,500 serial bonds of the Town to

finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$17,500 to pay the required down payment, and serial bonds of the Town in the principal amount of \$332,500, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$332,500 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes

issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

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The adoption of the foregoing resolution was seconded by Councilman J.V. Rogowski and duly put to a vote on roll call, which resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

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Councilman W.P. Rogowski offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the embellishment of recreational facilities in the Town, stating the estimated maximum cost thereof is \$350,000, appropriating said amount therefor, and authorizing the issuance of \$17,500 capital notes to provide the required down payment, and authorizing the issuance of \$332,500 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to improve and embellish playground equipment, volley ball and street hockey courts, shelters, bleachers, and swimming pools at various Town parks; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$350,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$17,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$332,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$17,500 capital notes to provide the required down payment and \$332,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$332,500 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

Section 2. After said bond and capital note resolution shall take effect, the Town Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by  
Councilman J. V. Rogowski and duly put to a vote on roll call, which  
resulted as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

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CERTIFICATE

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on June 16, 1986, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 16th day of June, 1986.

*Richard M. Moleski*  
Town Clerk

(SEAL)

i.c.

STATE OF NEW YORK )  
                          : ss.:  
COUNTY OF ERIE     )

RICHARD MOLESKI, being duly sworn, deposes and says:

That he/she is and at all times hereinafter mentioned he/she was the duly appointed, qualified and acting Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York;

That on June 17, 1986, he/she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond and capital note resolution duly adopted by the Town Board on June 16, 1986, a copy of which is annexed hereto and made a part hereof on the sign board of the Town maintained pursuant to the Town Law.

*Richard M. Moleski*  
Town Clerk

Subscribed and sworn to before me  
this 17<sup>th</sup> day of June, 1986.

*Jean A. Rosenberry*  
Notary Public, State of New York

JEAN A. ROSENBERRY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov. 30, 19 88

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the embellishment of recreational facilities in the Town, stating the estimated maximum cost thereof is \$350,000, appropriating said amount therefor, and authorizing the issuance of \$17,500 capital notes to provide the required down payment, and authorizing the issuance of \$332,500 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to improve and embellish playground equipment, volley ball and street hockey courts, shelters, bleachers, and swimming pools at various Town parks; and STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$350,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$17,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$332,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$17,500 capital notes to provide the required down payment and \$332,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$332,500 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: June 16, 1986

Richard Moleski  
Town Clerk

10

Referendum Certificate

CERTIFICATE OF CLERK

I, RICHARD MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, June 16, 1986, authorizing the embellishment of recreational facilities in the Town, stating the estimated maximum cost thereof is \$350,000, appropriating said amount therefor, and authorizing the issuance of \$17,500 capital notes to provide the required down payment, and authorizing the issuance of \$332,500 serial bonds of said Town to finance the balance of said appropriation,"

was adopted June 16, 1986, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the corporate seal of said  
Town this 17<sup>th</sup> day of July, 1986.

Richard M. Molecki  
Town Clerk

(SEAL)

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

*Linda G. Bros*, 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..... JUN 19 1986 ..... ;  
last publication..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Bros*

Sworn to before me this ..... 20<sup>th</sup> .....

day of ..... June ....., 19 86.

*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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

PLEASE TAKE NOTICE that on June 16, 1986, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Town of Cheektowaga, New York, adopted June 16, 1986, authorizing the embellishment of recreational facilities in the Town, stating the estimated maximum cost thereof is \$350,000, appropriating said amount therefor, and authorizing the issuance of \$17,500 capital notes to provide the required down payment, and authorizing the issuance of \$332,500 serial bonds of said Town to finance the balance of said appropriation."

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

**FIRST: AUTHORIZING** said Town to improve and embellish playground equipment, volley ball and street hockey courts, shelters, bleachers, and swimming pools at various Town parks; and **STATING** the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$350,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$17,500 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$332,500 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$17,500 capital notes to provide the required down payment and \$332,500 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

**THIRD: DETERMINING** and **STATING** the period of probable usefulness of the class of objects or purposes is fifteen (15) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and **DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; and the proposed maturity of said \$332,500 serial bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

**SIXTH: DETERMINING** that the bond and capital note resolution is subject to a permissive referendum.

**RICHARD MOLESKI**  
Town Clerk

DATED: June 16, 1986  
PUBLISH: June 19, 1986

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

Ronald L. Beckelman, 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.....JUL 24 1986..... ;  
last publication.....JUL 24 1986..... ;  
and that no more than six days intervened be-  
tween publications.

Ronald L. Beckelman.....

Sworn to before me this .....25<sup>th</sup>.....

day of .....July....., 19..86..

.....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**

The resolution published herewith has been adopted on the 16th day of June, 1986, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED JUNE 16, 1986, AUTHORIZING THE EMBELLISHMENT OF RECREATIONAL FACILITIES IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$350,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$17,500 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$332,500 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:**

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to embellish playground equipment, volley ball and street hockey courts, shelters, bleachers, and swimming pools at various Town parks. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$350,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$17,500 capital notes to provide the down payment as required by the Law, as hereinafter defined, and the issuance of \$332,500 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal of \$17,500 to pay the required down payment, and serial bonds of the Town in the principal amount of \$332,500, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$332,500 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19 (c) of the Law, is fifteen (15) years.

(b) Current funds are required by the Law to be provided prior to the issuance of bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said class of objects or purposes herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and

bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

**RICHARD MOLESKI**  
Town Clerk  
PUBLISH: July 24, 1986

Item No. 3A-9 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, this Town Board, on June 16, 1986, enacted a bond and capital note resolution authorizing the resurfacing the various Town streets at an estimated maximum cost of \$4,850,000, and

WHEREAS, it is this Town Board's intention to reduce the impact upon the Highway tax rate because of such bond resolution, NOW, THEREFORE, BE IT

RESOLVED that the approval of the aforesaid bond and capital note resolution implies an obligation on behalf of this Town Board to offset a portion of the resulting real property tax rate increase with a first year reduction in operation and maintenance non-wage appropriations in the 1987 Highway Fund budget in an amount equal to the average annual principal and interest payment, and BE IT FURTHER

RESOLVED that the approval of said bond and capital note resolution implies an obligation on behalf of this Town Board to further phase in any increases attributable to the annual indebtedness payments over successive budget years, and BE IT FURTHER

RESOLVED that the approval of said bond and capital note resolution also implies an obligation on behalf of this Town Board to further reduce such property tax impact as the principal and interest payments are reduced over the term of the bond.

Upon Roll Call....

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

Item No. 3B Motion by Councilman J. Rogowski, Seconded by Supervisor Weber

WHEREAS, Timothy T. Mroz has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by him and located at 1 Cayuga Creek 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 21st day of April, 1986 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the condition that the new four (4) car garage be erected beyond the rear lot line of the adjacent property to the east, 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 Timothy T. Mroz for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted 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 Cheketowaga be amended in accordance with the above.

\* See next page for description

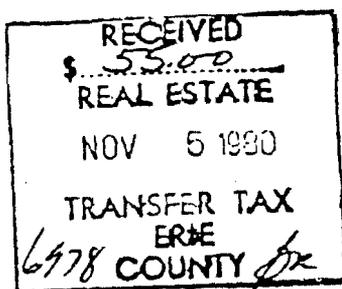
36

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, in the County of Erie and State of New York, being part of Lot Number Seventy-nine (79) of the Buffalo Creek Indian Reservation, so-called, according to James Sperry's survey thereof, bounded and described as follows:-

COMMENCING at a point in the center line of Cayuga Creek Road, sometimes known as Cayuga Road, distant eleven hundred and twenty-nine and thirty-four one hundredths (1129.34) feet northeasterly from the center line of Clinton Street, measured along said center line of Cayuga Creek Road; running thence easterly along said center line of Cayuga Creek Road, one hundred and fifty (150) feet; thence southerly, at right angles with said center line of Cayuga Creek Road, for the distance of three hundred and ninety and two-tenths (390.2) feet; thence northwesterly, on a line drawn at an angle of forty-five degrees, thirty-six minutes and thirty seconds ( $45^{\circ}36'30''$ ) for the distance of two hundred and nine and eighth-tenths (209.8) feet, to a point where said line intersects a line drawn at right angles with the center line of Cayuga Creek Road; thence northerly, on a line drawn at right angles with the center line of Cayuga Creek Road for the distance of two hundred and forty-three and six-tenths (243.6) feet to the center line of Cayuga Creek Road, at the point or place of beginning, containing one and eighty-seven one-thousandths (1.087) acres of land, be the same more or less.

ALSO, 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 Seventy-nine (79) of the Buffalo Creek Indian Reservation, more particularly described as follows:-

COMMENCING at a point in the center line of Cayuga Creek Road, sometimes known as Cayuga Road, at its intersection with the northerly line of premises now owned by the grantor herein, which point is twelve hundred seventy-nine and thirty-four hundredths (1279.34) feet northerly along the center line of Cayuga Creek Road from its intersection with the center line of Clinton Street; running thence at a ninety (90) degree angle, southeasterly along the northerly line of the grantor's land, three hundred ninety and two-tenths (390.2) feet; thence easterly at an angle of  $134^{\circ}23'30''$  twenty-nine and eight-tenths (29.8) feet; thence northwesterly to a point in the center line of Cayuga Creek Road, forty (40) feet northeasterly from the point of beginning; thence southwesterly along the said center line of Cayuga Creek Road, forty (40) feet to the point or place of beginning.



LIBER (330) PAGE 391

Item No. 3B cont'd

Upon Roll Call....

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

THE ABOVE RESOLUTION WAS DENIED!

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

WHEREAS, Vincent R. DiPasquale has made application and requested the rezoning of property located at 2460 Union Road from RC-Restricted Business District to C-Retail Business District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 7, 1986 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.

*Linda G. Pears*, 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 ..... JUN 19 1986 ..... ;  
last publication ..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Pears*

Sworn to before me this ..... 20<sup>th</sup> .....  
day of ..... June ..... , 19.86..  
..... *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 7th day of July, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Vincent R. DiPasquale (2460 Union Road, Inc.) to Rezone from RC-Restricted Business District to C-Retail Business District on property located at 2460 Union Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All 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. 62, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows: Commencing at a point in the center line of Union Road 682.86 feet southerly from its intersection with the north line of Lot No. 62; thence westerly and parallel with the south line of Lot 62, 203.81 feet to a point; thence proceeding southerly at right angles 88.36 feet to a point in a line drawn parallel to the southerly line of Farm Lot 62; thence proceeding easterly at right angles 220.93 feet to the center line of Union Road; thence proceeding northerly along the center line of Union Road 80 feet to the point or place of beginning.

**EXCEPTING and RESERVING** from the above described premises such portion thereof lying within the boundaries of Union Road as one hundred (100) foot highway.

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: June 19, 1986**

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

WHEREAS, Delta-Sonic Car Wash (Robert D. Alonzo, Agent) has made application and requested the rezoning of property located at 2285 Walden Avenue from M-1, Light Manufacturing to CM-General Commercial District, and has also requested a Special Use Permit on the above mentioned property to permit operation of a car wash and gasoline dispensing facility, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 7, 1986 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.

*Linda G. Jones*, 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..... *JUN 1 8 1986* ..... ;  
last publication..... *JUN 1 9 1986* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this *20<sup>th</sup>* .....

day of *June* ....., 19*86* .....

*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*

tion Lot Number one hundred twenty-three (123) and the north line of Kausel Avenue; thence west along the north line of Kausel Avenue, one hundred twenty (120) feet to the point or place of beginning.

**PARCEL "B"**

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as that part of Subdivision Lot Number eighty-seven (87), lying southeasterly of the southeasterly line of Walden Avenue Extension and also that part of Finley Avenue lying between Subdivision Lots Numbers eighty-seven (87) and ninety-four (94), as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

**PARCEL "C"**

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11) Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers one hundred twenty-seven (127) to one hundred thirty-two (132) inclusive, all as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

**PARCEL "D"**

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as that part of Kausel Avenue as shown on a map filed in the Erie County Clerk's Office under Cover Number 293, bounded and described as follows:

BEGINNING at a point in the north line of Kausel Avenue at the southwest corner of Subdivision Lot Number one hundred twenty (120) as shown on said Map Cover Number 293; running thence easterly along the north line of Kausel Avenue, two hundred ten (210) feet to the southeast corner of Subdivision Lot Number one hundred twenty-six (126) as shown on Map Cover Number 293; running thence southerly along the east line of lands under Map Cover Number 293, forty (40) feet to the south line of Kausel Avenue and the northeast corner of Subdivision Lot Number one hundred twenty-seven (127), Map Cover Number 293; running thence westerly along the south line of Kausel Avenue and the north line of Subdivision Lots Numbers one hundred twenty-seven (127) to one hundred thirty-three (133) inclusive, two hundred ten (210) feet to the northwest corner of Subdivision Lot Number one hundred thirty-three (133); running thence northerly in a straight line forty (40) feet to the southwest corner of Subdivision Lot Number one hundred twenty (120), 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: June 19, 1986

**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 7th day of July, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Delta Sonic Car Wash Systems, Inc. (Robert D. Alonzo, Agent) to Rezone from M1-Light Manufacturing District to CM-General Commercial District on property located at 2285 Walden Avenue and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

**COMPLETE RECORD SEARCH**

Search No. 616659

**PARCEL "A"**

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 eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers ninety-four (94), ninety-five (95) and one hundred twenty (120) to one hundred twenty-three (123) inclusive, that part of Subdivision Lot Number eighty-six (86) lying southeasterly of the southeasterly line of Walden Avenue Extension and that part of Finley Avenue lying between Subdivision Lots Numbers eighty-six (86) and ninety-five (95), all as shown on a map filed in the Erie County Clerk's Office under Cover Number 293 and all bounded and described as follows:

BEGINNING at a point in the north line of Kausel Avenue as shown on said map cover, being the southwest corner of Subdivision Lot Number one hundred twenty (120); thence north along the west line of Subdivision Lot Number one hundred twenty (120), one hundred sixteen (116) feet to the northwest corner thereof; thence east along the north line of Subdivision Lots Numbers one hundred twenty (120) and one hundred twenty-one (121), sixty (60) feet to the southwest corner of Subdivision Lot Number ninety-five (95); thence north along the west line of Subdivision Lot Number ninety-five (95) and said west line extended northerly one hundred fifty-six and ninety-six hundredths (156.96) feet to a point in the southeasterly line of the Walden Avenue Extension; thence northeasterly along said southeasterly line of Walden Avenue Extension, thirty and forty-five hundredths (30.45) feet to a point in the east line of Subdivision Lot Number eighty-six (86); thence south along the east line of Subdivision Lot Number eighty-six (86) and said east line extended southerly forty-five and twenty-one hundredths (45.21) feet to the northwest corner of Subdivision Lot Number ninety-four (94); thence east along the north line of Subdivision Lot Number ninety-four (94), thirty (30) feet to the northeast corner of Subdivision Lot Number ninety-four (94); thence south along the east line of said Subdivision Lots Numbers ninety-four (94) and one hundred twenty-three (123), two hundred thirty-two (232) feet to the southeast corner of said Subdivi-

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

*Linda G. Jones*, 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..... JUN. 19 1986..... ;  
last publication..... JUN. 19 1986..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this *20th*

day of *June*, 19*86*

*Cecelia Westoven*

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

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

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 7th day of July, 1986 at 6:30 o'clock, P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Delta Sonic Car Wash Systems, Inc. (Robert D. Alonzo, Agent) for a Special Permit to use property for automotive use as carwash & gasoline dispensing facility on property located at 2285 Walden Avenue pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

**COMPLETE RECORD SEARCH**

Search No. 616659

**PARCEL "A"**

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 eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers ninety-four (94), ninety-five (95) and one hundred twenty (120) to one hundred twenty-three (123) inclusive, that part of Subdivision Lot Number eighty-six (86) lying southeasterly of the southeasterly line of Walden Avenue Extension and that part of Finley Avenue lying between Subdivision Lots Numbers eighty-six (86) and ninety-five (95), all as shown on a map filed in the Erie County Clerk's Office under Cover Number 293 and all bounded and described as follows:

**BEGINNING** at a point in the north line of Kausel Avenue as shown on said map cover, being the southwest corner of Subdivision Lot Number one hundred twenty (120); thence north along the west line of Subdivision Lot Number one hundred twenty (120), one hundred sixteen (116) feet to the northwest corner thereof; thence east along the north line of Subdivision Lots Numbers one hundred twenty (120) and one hundred twenty-one (121), sixty (60) feet to the southwest corner of Subdivision Lot Number ninety-five (95); thence north along the west line of Subdivision Lot Number ninety-five (95) and said west line extended northerly one hundred fifty-six and ninety-six hundredths (156.96) feet to a point in the southeasterly line of the Walden Avenue Extension; thence northeasterly along said southeasterly line of Walden Avenue Extension, thirty and forty-five hundredths (30.45) feet to a point in the east line of Subdivision Lot Number eighty-six (86); thence south along the east line of Subdivision Lot Number eighty-six (86) and said east line extended southerly forty-five and twenty-one hundredths (45.21) feet to the northwest corner of Subdivision Lot Number ninety-four (94); thence east along the north line of Subdivision Lot Number ninety-four (94), thirty (30) feet to the northeast corner of Subdivision Lot Number ninety-four (94); thence south along the east line of said Subdivision Lots Numbers ninety-four (94) and one

hundred twenty-three (123), two hundred thirty-two (232) feet to the southeast corner of said Subdivision Lot Number one hundred twenty-three (123) and the north line of Kausel Avenue; thence west along the north line of Kausel Avenue, one hundred twenty (120) feet to the point or place of beginning.

**PARCEL "B"**

**ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND** situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as that part of Subdivision Lot Number eighty-seven (87), lying southeasterly of the southeasterly line of Walden Avenue Extension and also that part of Finley Avenue lying between Subdivision Lots Numbers eighty-seven (87) and ninety-four (94), as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

**PARCEL "C"**

**ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND** situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11) Range seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots Numbers one hundred twenty-seven (127) to one hundred thirty-two (132) inclusive, all as shown on a map filed in the Erie County Clerk's Office under Cover Number 293.

**PARCEL "D"**

**ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND** situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number eleven (11), Township eleven (11), Range seven (7) of the Holland Land Company's Survey and further distinguished as that part of Kausel Avenue as shown on a map filed in the Erie County Clerk's Office under Cover Number 293, bounded and described as follows:

**BEGINNING** at a point in the north line of Kausel Avenue at the southwest corner of Subdivision Lot Number one hundred twenty (120) as shown on said Map Cover Number 293; running thence easterly along the north line of Kausel Avenue, two hundred ten (210) feet to the southeast corner of Subdivision Lot Number one hundred twenty-six (126) as shown on Map Cover Number 293; running thence southerly along the east line of lands under Map Cover Number 293, forty (40) feet to the south line of Kausel Avenue and the north-east corner of Subdivision Lot Number one hundred twenty-seven (127), Map Cover Number 293; running thence westerly along the south line of Kausel Avenue and the north line of Subdivision Lots Numbers one hundred twenty-seven (127) to one hundred thirty-three (133) inclusive, two hundred ten (210) feet to the northwest corner of Subdivision Lot Number one hundred thirty-three (133); running thence northerly in a straight line forty (40) feet to the southwest corner of Subdivision Lot Number one hundred twenty (120), 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**

Item No. 4c Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, the Cheektowaga Police Department has recommended that this Town Board amend Chapter 48 of the Code of the Town of Cheektowaga ("Parks Ordinance") to regulate the consumption of alcoholic beverages in Town parks, and

WHEREAS, the Town Attorney's Office has prepared a proposed amendment to the Parks Ordinance, 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 7th day of July, 1986 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, 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 Parks Ordinance shall be amended as provided in the attached Notice of Hearing, and BE IT FURTHER

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

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NOTICE OF HEARING ON PROPOSAL TO AMEND  
CHAPTER 48 OF THE  
CODE OF THE TOWN OF CHEEKTOWAGA  
("PARKS 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 16th day of June, 1986, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of July, 1986 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, Nw York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether Chapter 48 of the Code of the Town of Cheektowaga, New York ("Parks Ordinance") shall be amended and changed as follows:

RESOLVED that a new Section 48-11.A., which relates to the consumption of alcoholic beverages shall be added and shall read as follows:

§48-11.A. Consumption of alcoholic beverages restricted.

1. No person under the age of twenty-one (21) years shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach.
2. No person shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach; except that this prohibition shall not apply to persons over the age of twenty-one (21) years picnicking in Town Park or John C. Stiglmeier Park during regular park hours.

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

DATED: June 16, 1986

RICHARD M. MOLESKI  
Town Clerk

\*\*\*\*\*

Item No. 4c cont'd

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.

*Linda G. Jones*, 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..... JUN 19 1986 ..... ;  
last publication..... JUN 19 1986 ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Jones*

Sworn to before me this ..... *20th* .....

day of ..... *June* ....., 19 *86* .....

..... *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  
CHAPTER 48 OF THE CODE OF  
THE TOWN OF CHEEKTOWAGA  
("PARKS 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 16th day of June, 1986, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 7th day of July, 1986, 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 Chapter 48 of the Code of the Town of Cheektowaga, New York ("Parks Ordinance") shall be amended and changed as follows:

RESOLVED, that a new Section 48-11.A., which relates to the consumption of alcoholic beverages, shall be edited and shall read as follows:

§48-11.A. Consumption of alcoholic beverages restricted.

1. No person under the age of twenty-one (21) years shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach.

2. No person shall consume any alcoholic beverage, or have in his possession any open container containing an alcoholic beverage with intent to consume same, within the limits of any park or park approach; except that this prohibition shall not apply to persons over the age of twenty-one (21) years picnicking in Town Park or John C. Stiglmeier Park during regular park hours.

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

**RICHARD M. MOLESKI**

Town Clerk

DATED: June 16, 1986  
PUBLISH: June 19, 1986

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

WHEREAS, owners of property located on Walden Avenue in the Depew portion of Cheektowaga have signed a petition requesting that this Town Board authorize and approve the construction of lateral sewers in or along that portion of Walden Avenue in Sewer District No. 7, Depew Ext. 2 described as follows:

commencing along the southerly side from the existing manhole at a distance of 1200<sub>±</sub> feet east of Dick Road to an easterly point at a distance of 1050<sub>±</sub> feet.

and

WHEREAS, the maximum amount proposed to be expended for the improvement as stated in said petition is Fifty-six thousand dollars (\$56,000.00), and

WHEREAS, Section 199 of the Town Law of the State of New York authorizes this Town Board, upon a petition, or by a resolution adopted on its own motion, to construct lateral sewers in any sewer district, NOW, THEREFORE, BE IT

ORDERED, that in accordance with the provisions of Section 199 of the Town Law of the State of New York, a public hearing be held on the 7th day of July, 1986 at 7:00 o'clock P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, to consider said petition and hear all persons interested in the subject thereof concerning the same, and BE IT FURTHER

ORDERED, that the Town Clerk of the Town of Cheektowaga is hereby authorized and directed to publish a copy of this order certified by him in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, and to post a copy of the same on the signboard maintained by him, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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.

*Linda G. Sears*, 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.....**JUN 19 1986**..... ;  
last publication.....**JUN 19 1986**..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Sears*

Sworn to before me this .....*20th*.....

day of .....*June*....., 19..*86*..

.....*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 June, 1986 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**, owners of property located on Walden Avenue in the Depew portion of Cheektowaga have signed a petition requesting that this Town Board authorize and approve the construction of lateral sewers in or along that portion of Walden Avenue in Sewer District No. 7, Depew Ext. 2, described as follows:

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

and,  
**WHEREAS**, the maximum amount proposed to be expended for the improvement as stated in said petition is Fifty-six thousand dollars (\$56,000.00), and

**WHEREAS**, Section 199 of the Town Law of the State of New York authorizes this Town Board, upon a petition, or by a resolution adopted on its own motion, to construct lateral sewers in any sewer district. **NOW, THEREFORE, BE IT**

**ORDERED**, that in accordance with the provisions of Section 199 of the Town Law of the State of New York, a public hearing be held on the 7th day of July, 1986 at 7:00 o'clock P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, to consider said petition and hear all persons interested in the subject thereof concerning the same, and **BE IT FURTHER**

**ORDERED**, that the Town Clerk of the Town of Cheektowaga is hereby authorized and directed to publish a copy of this order certified by him in the **CHEEKTOWAGA TIMES**, a newspaper published in the Town of Cheektowaga and having a general circulation therein, and to post a copy of the same on the signboard maintained by him, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

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 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 June 16, 1986, 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 17th day of June, 1986.

RICHARD M. MOLESKI

Town Clerk

PUBLISH: June 19, 1986

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

WHEREAS, the sole bid received by the Cheektowaga Town Clerk and publicly opened and read on June 2, 1986, for bus transportation to and from Camp Crabapple and Camp JI-Ik-DO-WAH-GAH from July 7, 1986 until August 15, 1986 for the Town of Cheektowaga, and

WHEREAS, such bid was referred to the Cheektowaga Youth Bureau for analysis, tabulation and report, on the said bid proposal, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to the sole bidder:

National School Bus Service  
2306 Walden Avenue  
Cheekowaga, New York 14225

for a total bid price of \$8,362.53.

Upon Roll Call....

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

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

WHEREAS, the sole bid received by the Cheektowaga Town Clerk and publicly opened and read on June 2, 1986, for pressure treated lumber for the Town of Cheektowaga, and

WHEREAS, such bid was referred to the Cheektowaga Youth Bureau for analysis, tabulation and report, on the said bid proposal, NOW, THEREFORE, BE IT

RESOLVED that the bid be awarded to the sole bidder:

Forest Materials  
1665 Harlem Road  
Cheektowaga, New York 14206

for Pressure Treated Lumber for the Town of Cheekotwaga for the year 1986.

Upon Roll Call....

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Rein Road Bridge Reconstruction Project, which bids were duly received and publicly opened on June 4, 1986, and

WHEREAS, said bids were referred to the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc., for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated June 12, 1986, and

WHEREAS, said report recommends that the bid be awarded to Omer Construction, Inc., 621 Aero Drive, Cheektowaga, New York 14225, NOW, THEREFORE, BE IT

RESOLVED that the contract for the Rein Road Bridge Reconstruction Project be awarded to Omer Construction, Inc., for the lowest, responsible bidder meeting the requirements of our specifications at a total bid price of \$228,515.00.

\* See next page for letter



## Town of Cheektowaga

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

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

June 12, 1986

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

### Rein Road Bridge Bids

Gentlemen:

Bids were received on Wednesday, June 4th, for the Rein Road Bridge Reconstruction Project. Bids were received as follows:

Omer Construction, Inc.	\$ 228,515.00
Stimm Associates, Inc.	\$ 334,390.80
Union Concrete & Construction Corp.	\$ 334,463.13
Nichter Associates, Inc.	\$ 433,010.96

This bridge reconstruction project is being funded thru the State of New York "Rebuild New York thru Transportation Infrastructure Renewal Bond Act". Our consultants, Nussbaumer & Clarke, Inc., reviewed the bids. It is the recommendation of the consultants and our office that the bid be awarded to Omer Construction, Inc. for submitting the lowest bid meeting the requirements of our specifications.

Omer Construction, Inc. was also the successful bidder on our Highway Garage Addition. We expect work to start this month. This contractor also received a contract from the N.Y.S.D.O.T. on the traffic improvement work on Cayuga Creek Road at S. Henry Street and JFK High School. They expect to start this work at the end of June when school will be out.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

CLB:mjh

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

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening on June 4, 1986 for the construction of new sidewalks and the reconstruction of existing sidewalks, and

WHEREAS, said bids were reviewed and tabulated by the Engineering Department and an analysis, tabulation and report was submitted in the letter from the Engineering Department to the Town Board dated June 12, 1986, NOW, THEREFORE, BE IT

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

Sunshine General Construction  
60 Lorna Lane  
Tonawanda, New York 14150

for their submission of the lowest responsible bid total of \$39,235.00 with the award being made at the following unit prices:

ITEM 1	4" thick sidewalk	\$ 1.75/sq. ft.
ITEM 2	6" thick sidewalk	\$ 2.09/sq. ft.
ITEM 3	Excess fill or excavation	\$ 6.00/sq. yd.
ITEM 4	4" diameter P.V.C. underdrain	\$ 1.50/lin. ft.
ITEM 5	6" sidewalk reinforced with 6 X 6 X 10 mesh	\$ 2.20/sq. ft.
ITEM 6	Landscaping beyond Item 1	\$ 2.25/sq. yd.
ITEM 7	Fine asphalt mix beyond Item 1	\$ 10.00/sq. yd.
ITEM 8	6" reinforced driveway apron	\$ 2.60/sq. ft.
ITEM 9	Traffic control	\$500.00

and BE IT FURTHER

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

RESOLVED that funding for this work is to be made under Capital Funds.

\*\*\*\*\*

MOTION BY COUNCILMAN KOWAL, SECONDED BY COUNCILMAN JOHNSON to amend the above resolution.

Upon Roll Call....

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

\*\*\*\*\*

Item No. 5d cont'd

Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening on June 4, 1986 for the construction of new sidewalks and the reconstruction of existing sidewalks, and

WHEREAS, said bids were reviewed and tabulated by the Engineering Department and an analysis, tabulation and report was submitted in the letter from the Engineering Department to the Town Board dated June 12, 1986, NOW, THEREFORE, BE IT

RESOLVED that all bids submitted be and hereby are rejected and the matter is referred to 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. 6a Motion by Councilman Jaworowicz, Seconded by Councilman Kowal

WHEREAS, there is need to provide for air conditioning in the Computer Room at the Police and Court Building for which funds were budgeted for the fiscal year of 1986, and

WHEREAS, this Town Board, in its resolution of June 2, v1986 authorized Babinsky-Klein Engineering, P.C., to prepare plans and specifications for bidding, and

WHEREAS, the Town Engineer notified this Town Board that plans and specifications are completed, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said construction and installation of an air conditioning system in the Computer Room at the Police and Court Building, notice to be published in THE BUFFALO NEWS and THE CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed proposals will be received by the Town of Cheektowaga on the 30th day of June, 1986 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers of the Cheektowaga Town Hall.

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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 30th day of June, 1986, at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the installation of an air conditioning system, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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

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

Item No. 6a cont'd

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

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

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

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

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

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

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

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

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

A pre-bid meeting will be held Tuesday, June 24, 1986 at 10:00 A.M., in the Council Chambers of the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, to discuss the project with interested bidders.

RICHARD M. MOLESKI  
Town Clerk

DATED: June 16, 1986

\*\*\*\*\*

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.

*Linda M. Jones*, 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..... *JUN 19 1986*..... ;  
last publication..... *JUN 19 1986*..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda M. Jones*

Sworn to before me this ..... *20<sup>th</sup>* .....

day of ..... *June* ....., 19 *86* .....

..... *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**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 30th day of June 1986, 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the installation of an air conditioning system, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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

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

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

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

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

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

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

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

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

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

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

A pre-bid meeting will be held Tuesday, June 24, 1986 at 10:00 A.M., in the Council Chambers of the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, to discuss the project with interested bidders.

**RICHARD M. MOLESKI**

Town Clerk

DATED: June 16, 1986

PUBLISH: June 19, 1986

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

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THESE TAXES ARE NOT TO BE INCLUDED IN THE BID. A pre-bid meeting will be held Tuesday, June 24, 1986 at 10:00 A.M. in the Council Chambers of the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, to discuss the project with interested bidders.

RICHARD M. MOLESKI  
Town Clerk  
DATED: June 14, 1986

D. Eileen Perry

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

and says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of

THE BUFFALO NEWS, a newspaper published in said

city, that the notice of which the annexed printed slip taken

from said newspaper is a copy, was inserted and published

therein once ~~XXXXXXXXXXXXXXXXXXXX~~

~~XX~~ first insertion being on the 19th day of June

19 86 ~~XXXXXXXXXXXXXXXXXXXX~~ day

of ~~XXXXXXXXXXXXXXXXXXXX~~

D. Eileen Perry

Sworn to before me this 19th day

of June 19 86

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 19 87

Notary Public, Erie County, N.Y.

# State of New York

ERIE COUNTY  
CITY OF BUFFALO

## NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York, on the 20th day of June 1986, at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for the installation of an air conditioning system, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Babinsky-Klein Engineering, P.C. for the said project.

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

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the Office of the Engineers at 155 Creekside Drive, Amherst, New York 14205, from which latter office copies may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

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

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

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

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

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

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

The successful bidder will be required to furnish a performance bond acceptable to

the Owner, in an amount equal to the contract award.

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

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

A pre-bid meeting will be held Tuesday, June 24, 1986 at 10:00 A.M., in the Council Chambers of the Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, to discuss the project with interested bidders.

RICHARD M. MOLESKI  
Town Clerk  
DATED: June 15, 1986

D. Eileen Perry

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

and says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC., Publisher of

THE BUFFALO NEWS, a newspaper published in said

city, that the notice of which the annexed printed slip taken

from said newspaper is a copy, was inserted and published

therein once

first insertion being on the 19th day of June

19 86

D. Eileen Perry

*D. Eileen Perry*

June 19 86 19th day

*Francis X. Vollmer Jr.*

FRANCIS X. VOLLMER JR.  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 19 87

Notary Public, Erie County, N.Y.

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

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

RESOLVED that sealed bids will be received on July 7, 1986 at 11:00 A.M. Daylight Savings Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 7, 1986 at 11:00 A.M., Daylight Savings Time at Town Hall, corner of Broadway and Union Road, for football equipment.

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

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

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

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

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

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

RICHARD M. MOLESKI  
Town Clerk

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Upon Roll Call....

AYES: Supervisor Weber, Councilmen Johnson, W.P. Rogowski, 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.

*Linda G. Soro*, 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..... **JUN 19 1986** ..... ;  
last publication..... **JUN 19 1986** ..... ;  
and that no more than six days intervened be-  
tween publications.

*Linda G. Soro*

Sworn to before me this ..... *20<sup>th</sup>* .....

day of ..... *June* ....., 19 *86* .....

..... *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**

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

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

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

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

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

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

**RICHARD MOLESKI,**

Town Clerk

Publish: June 19, 1986

Item No. 7 Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1986 to the Erie County Board of Elections, and

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, and

WHEREAS, the Town of Cheektowaga includes 111 Election Districts; 44 Polling Places, of which 43 provide proper accessibility and 1 which does not, and

WHEREAS, the Town of Cheektowaga is a fully developed community and has within its environs very few or recently constructed buildings which provide the required accessibility and are also available for use as polling places, and

WHEREAS, conversion of the current inaccessible polling place, is neither economically feasible nor cost effective at this time, and

WHEREAS, the Town is cognizant of this situation and continues to seek an accessible location to replace the inaccessible location, and, when financially and otherwise practicable, will convert the present inaccessible location to provide accessibility, NOW, THEREFORE, BE IT

RESOLVED that the attached list of Town of Cheektowaga polling places for 1986 be approved for submittal to the Erie County Board of Elections, and BE IT FURTHER

RESOLVED that the Town Board herewith requests a waiver in writing from the Erie County Board of Elections for inaccessible polling place, as designated on same attached list which is made a part of this resolution.

\* See next three (3) pages for list of polling places

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

June 18, 1986

We the undersigned composing the Board of the Town Officers of the Town of Cheektowaga, New York do hereby give notice that we have designated the following Polling Places in said Town for the Primary Election.

District #1 - St. Mary's Greek Orthodox Church, Losson Road

District #24 - Cerebral Palsy Assoc. North Hill Elementary School, 4635 Union Rd.

District #2 - Bellevue Fire Station, Como Park & Bennett Road

District #25 - Maryvale Elementary School, 777 Maryvale Drive

District #3 - Village of Depew, DPW Building, Rutherford Place

District #26 - Maryvale Community Center, 3409 Genesee Street

District #4 - Forks Fire Hall No. 2, Nagel Dr. & South Creek Drive

District #27 - Mother of Divine Grace Church, 500 Maryvale Drive

District #5 - U-Crest Fire Hall, 255 Clover Place

District #28 - Mother of Divine Grace Church, 500 Maryvale Drive

District #6 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #29 - Cleveland Hill Primary School, 7 Community Drive

District #7 - Our Lady of Blessed Sacrament School, 2620 George Urban Blvd.

District #30 - Cleveland Hill Primary School, 7 Community Drive

District #8 - Maryvale Community Center, 3409 Genesee Street

District #31 - Pine Hill Elementary School, 1635 East Delavan

District #9 - Maryvale Elementary School, 777 Maryvale Drive

District #32 - Pine Hill Elementary School, 1635 East Delavan

District #10 - Cerebral Palsy Assoc., North Hill Elementary, 4635 Union Road

District #33 - Villa Maria College, 240 Pine Ridge

District #11 - Cerebral Palsy Assoc., North Hill Elementary, 4635 Union Road

District #34 - Pine Hill Fire Hall, 2435 Genesee Street

District #12 - Infant of Prague School Hall, 921 Cleveland Drive

District #35 - Cheektowaga Recreation Center, Town Park, Harlem Road

District #13 - Cleveland Drive United Presbyterian Church, 735 Cleveland Drive

District #36 - Queen of Martyrs School, 180 George Urban Blvd.

District #14 - Cleveland Hill Fire Hall, 440 Cleveland Drive

District #37 - Maryvale Community Center, 3409 Genesee Street

\*District #15 - St. Aloysius School, 157 Cleveland Drive

District #38 - U-Crest Fire Hall, 255 Clover Place

\*District #16 - St. Aloysius School, 157 Cleveland Drive

District #39 - U-Crest Fire Hall, 255 Clover Place

\*District #17 - St. Aloysius School, 157 Cleveland Drive

District #40 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

\*District #18 - St. Aloysius School, 157 Cleveland Drive

District #41 - Anna M. Reinstein Memorial Library, 2580 Harlem Road

\*District #19 - St. Aloysius School, 157 Cleveland Drive

District #42 - St. John Gualbert Hall 120 Alexander Avenue

District #20 - Cleveland Hill High School, Mapleview Drive

District #43 - St. John Gualbert Hall 120 Alexander Avenue

District #21 - Cleveland Hill High School, Mapleview Drive

District #44 - Rescue Fire Hall, 20 Pine Ridge Road

District #22 - Cleveland Hill High School, Mapleview Drive

District #45 - Rescue Fire Hall, 20 Pine Ridge Road

District #23 - Infant of Prague School Hall, 921 Cleveland Drive

District #46 - Sloan Fire Hall, 55 Gates Street, Sloan

District #47 - Sloan Fire Hall,  
55 Gates Street, Sloan

District #48 - Sloan Fire Hall,  
55 Gates Street, Sloan

District #49 - Sloan Fire Hall,  
55 Gates Street, Sloan

District #50 - Sloan Fire Hall,  
55 Gates Street, Sloan

District #51 - Theodore Roosevelt  
School, 2495 William Street

District #52 - Theodore Roosevelt  
School, 2495 William Street

District #53 - Ukrainian Holy Trinity  
Orthodox Hall, 200 Como Park Blvd.

District #54 - Theodore Roosevelt  
School, 2495 William Street

District #55 - Doyle Fire Hall No. 1,  
William & Alaska

District #56 - Grover Cleveland School,  
Rossler & Dingens

District #57 - Doyle Fire Hall No. 2,  
Willowlawn & Griswold Street

District #58 - South Branch Library,  
2660 William Street

District #59 - Alys Drive Elementary  
School, 86 Alys Drive, Depew

District #60 - Alys Drive Elementary  
School, 86 Alys Drive, Depew

District #61 - Forks Fire Hall No. 2,  
Nagel & South Creek Drive

District #62 - Hy-View Fire Hall,  
8 Airport Drive

District #63 - Hy-View Fire Hall,  
8 Airport Drive

District #64 - Forks Fire Hall  
(Memorial Hall), 3340 Broadway

District #65 - St. Barnabas  
School, 2099 George Urban Blvd.

District #66 - Union U-Crest  
Elementary School, 1 Nagel Drive

District #67 - Garden Village Apartments  
Recreation Center 70 Garden Village Drive

District #68 - West End Hose Co. No. 6  
2325 George Urban Blvd.

District #69 - Queen of Martyrs,  
180 George Urban Blvd.

District #70 - Cheektowaga Recreation  
Center, Town Park, Harlem Road

District #71 - Cleveland Hill High  
School, Mapleview Drive

District #72 - Cleveland Hill Fire  
Hall, 440 Cleveland Drive

District #73 - Cleveland Heights  
Christian Church, 4774 Union Road

District #74 - Bellevue Fire Hall  
Como Park Blvd. & Bennett Road

District #75 - Maryvale Elementary  
School, 777 Maryvale Drive

District #76 - Our Lady of the Blessed  
Sacrament School, 2620 George Urban Blvd.

District #77 - ~~Ukrainian Holy Trinity~~  
Orthodox Church Hall, 200 Como Park Blvd.

District #78 - Doyle Fire Hall No. 1  
William & Alaska Street

District #79 - Southline Fire Hall,  
1049 French Road

District #80 - Garden Village Apartments  
Recreation Center, 70 Garden Village Drive

District #81 - Southline Fire Hall,  
1049 French Road

District #82 - St. Mary's Greek  
Orthodox Church, 940 Losson Road

District #83 - Dartwood Community Center  
222 Autumnwood Drive

District #84 - Dartwood Community Center  
222 Autumnwood Drive

District #85 - Bellevue Fire Hall,  
Como Park Blvd. & Bennett Road

District #86 - Village of Depew, DPW  
Bldg. Rutherford Place

District #87 - St. Barnabas School  
2099 George Urban Blvd.

District #88 - West End Hose Co. No. 6  
2325 George Urban Blvd.

District #89 - Hy-View Fire Hall,  
8 Airport Drive

District #90 - Infant of Prague School  
Hall, 921 Cleveland Drive

District #91 - Hy-View Fire Hall  
8 Airport Drive

District #92 - Union U-Crest  
Elementary School, 1 Nagel Drive

District #93 - U-Crest Fire Hall,  
255 Clover Place

District #94 - Appletree Mall  
Union Road & Como Park Blvd.

District #95 - Doyle Fire Hall No. 1  
William & Alaska Streets

District #96 - Union U-Crest  
Elementary School, 1 Nagel Drive

District #97 - South Branch Library  
2660 William Street

District #98 - Forks Fire Hall No. 2  
Nagel & South Creek Drive

Christian Church, 4774 Union Road

District #100 - Maryvale Elementary  
School, 777 Maryvale Drive

District #101 - Queen of Martyrs  
School, 180 George Urban Blvd.

District #102 - Forty & Eight  
Voiture Hall, 810 Rein Road

District #103 - Our Lady of the Blessed  
Sacrament School, 2620 George Urban Blvd.

District #104 - Appletree Mall  
Union Road & Como Park Blvd.

District #105 - John F. Kennedy School,  
305 Cayuga Creek Road

District #106 - Garden Village Apartments  
Recreation Center, 70 Garden Village Drive

District #107 - Garden Village Apartments  
Recreation Center, 70 Garden Village Drive

District #108 - Dartwood Community Center,  
222 Autumnwood Drive

District #109 - Dartwood Community Center,  
222 Autumnwood Drive

District #110 - Southline Fire Hall,  
1049 French Road

District #111 - Southline Fire Hall,  
1049 French Road

\*Denotes non-accessibility to building  
for handicapped

BY ORDER OF THE CHEEKTOWAGA TOWN BOARD

Supervisor:

Daniel E. Weber

Councilmen:

Thomas M. Johnson

William P. Rogowski

John V. Rogowski

Patricia A. Jaworowicz

Christopher J. Kowal

Dennis H. Gabryszak

RICHARD M. MOLESKI

Town Clerk

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

WHEREAS, due to Erie County's dire financial circumstances in 1984-85, the sales tax in Erie County was increased from seven percent to eight percent beginning in early 1985, and

WHEREAS, the additional one percent in sales tax was dedicated solely to the County of Erie, and

WHEREAS, said sales tax increase is scheduled to expire at the end of 1986, and

WHEREAS, County Executive Edward J. Rutkowski is now proposing an extension of the eight percent sales tax for two more years, and

WHEREAS, such increase in sales tax is being requested despite the fact that there was a surplus of \$15.2 million in the 1985 County budget, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby expresses its opposition to any extension of the eight percent sales tax in Erie County, and BE IT FURTHER

RESOLVED that this Town Board hereby expresses its opposition to any extension of the eight percent sales tax in Erie County, and BE IT FURTHER

RESOLVED that should the County and State Legislatures agree to extend the eight percent sales tax in Erie County, this Town Board hereby demands that the Town receive its share of any revenues generated as a result of the extension of such sales tax, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Governor, Senator Dale M. Volker, Assemblyman Dennis T. Gorski and the Erie County Legislature.

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 Johnson, Seconded by Councilman W. Rogowski

WHEREAS, Robert F. Miller and Anna M. Miller are the record owners of an unimproved lot measuring approximately 75 feet front by approximately 217.44 feet in depth, situated on the north side of Losson Road in the Town of Cheektowaga, New York; which lot will provide ingress to and egress from the Cheektowaga Volunteer Firemen's Memorial Park; and

WHEREAS, a contract for the purchase of such unimproved land, for the sum of \$12,750.00, has been entered into between the Millers and the Town, NOW, THEREFORE, BE IT

RESOLVED that the purchase price of \$12,500.00, plus necessary adjustments for non-delinquent taxes and assessment appearing on current tax bills, be and hereby is authorized; and that such expenditure be made from federal revenue sharing budget, and BE IT FURTHER

RESOLVED that the Town Attorney be and he hereby is authorized to close this real estate transaction and to sign any and all vouchers necessary for the completion thereof.

Upon Roll Call....

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

MEETING NO. 12  
June 16, 1986

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

WHEREAS, homes on Cloverleaf Drive in the Town currently utilize septic systems for sanitary waste removal, and

WHEREAS, homeowners on Cloverleaf Drive are proposing to install sanitary sewer pipes, at their own cost, along the rear of their properties, said pipes to connect with the Flanigan's Plaza sewer line, and

WHEREAS, the Town Engineering Department has reviewed the proposed plans for the installation of such sanitary sewer pipes and has approved same, and

WHEREAS, such sanitary sewer pipes will thereafter be maintained by the Town, and

WHEREAS, sanitary sewer easements over the proposed sewer line are being conveyed to the Town by the homeowners on Cloverleaf Drive, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned sanitary sewer plans, as approved by the Town Engineering Department, be and hereby are approved, and BE IT FURTHER

RESOLVED that the easements for the aforementioned sanitary sewer lines be and hereby are accepted by this Town Board, 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. 11 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, 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 II and Phase IV of this subdivision, NOW, THEREFORE, BE IT

RESOLVED that drainage easements are to be filed for this subdivision in the Erie County Clerk's Office prior to the 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. 12 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, there is need to make modifications at the Roycroft Pump Station including the installation of a new submersible type pump, NOW, THEREFORE, BE IT

Item No. 12 cont'd

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. dated June 2, 1986 and submitted to the Town Engineer be and hereby is approved for the preparation of plans and specifications for the Roycroft Pump Station Improvements, and BE IT FURTHER

RESOLVED that cost for said proposal for professional services in the amount of \$1,100.00 be and hereby is to be charged to Sewer District No. 5 budget item #508125.4964, and BE IT FURTHER

RESOLVED that the Supervisor sign said June 2, 1986 agreement with Nussbaumer & Clarke, Inc., on behalf of this Town Board.

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 Motion by Councilman J. Rogowski, Seconded by Supervisor Weber

WHEREAS, the Town of Cheektowaga has previously made application to the Department of Housing and Urban Development for \$2 million in Section 108 Loan Guarantee Funds, and

WHEREAS, the Department of Housing and Urban Development has approved said application, and

WHEREAS, it is necessary for the Town to execute a contract and promissory note with the Department of Housing and Urban Development for said funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to execute a contract and promissory note, and any necessary related documents, with the Department of Housing and Urban Development pertaining to the Town's receipt of \$2 million in Section 108 Loan Guarantee 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. 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:

33 Erie Street - \$1990.00

AND BE IT

Item No. 14 cont'd

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. 15 Motion by Councilman J. Rogowski, Seconded by Councilman Kowal

WHEREAS, Rental Rehabilitation Program funds are available through the New York State Division of Housing and Community Renewal for the rehabilitation of rental units for low and moderate income tenants, and

WHEREAS, the Town has established a Rental Rehabilitation Program with such funds previously received from New York State, and

WHEREAS, the Town Community Development Office is preparing an application for additional funds under said Program, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to submit an application to the New York State Division of Housing and Community Renewal for \$300,000 in Rental Rehabilitation Program funds for the rehabilitation of rental units in the Town of Cheektowaga, including Cedargrove heights.

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 Kowal, Seconded by Councilman W. Rogowski

WHEREAS, by resolution dated June 2, 1986, this Town Board made a Home Rule Request to the New York State Legislature with respect to Assembly Bills Nos. 7351-B and 7333-B, and

WHEREAS, the New York State Legislature has requested another Home Rule Request be made by the Town with respect to these bills, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests the New York State Legislature and Governor to enact Assembly Bills Nos. 7351-B and 7333-B, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to execute Home Rule Request forms for Assembly Bills Nos. 7351-B and 7333-B, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to forward executed copies of such Home Rule REquest forms to the State Senate, State Assembly, State Assemblyman Dennis T. Gorski and State Senator Dale M. Volker.

Upon Roll Call....

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

MEETING NO. 12  
June 16, 1986

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

WHEREAS, the Town is the owner of the Cheektowaga Historical Museum located at 3329 Broadway in the Town of Cheektowaga, and

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

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

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

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

\* See next four (4) pages for agreement

Upon Roll Call....

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

RECEIVED

1986 JUN 18 AM 9:14

CHEEKTOWAGA  
TOWN CLERK

A G R E E M E N T

THIS AGREEMENT is made and entered into as of the 16th day of June, 1986, by and between the Town of Cheektowaga, a municipal corporation organized under the laws of the State of New York, having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227 (hereinafter the "Town"); and the Cheektowaga Historical Association, a not-for-profit corporation organized and existing under the Not-for-Profit Corporation Law of the State of New York, with its principal place of business at 3329 Broadway, Cheektowaga, New York 14227 (hereinafter "Association")

W I T N E S S E T H:

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

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

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

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

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

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

2. The Association hereby agrees to operate the Museum:

a) for the benefit of the public;and

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

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

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

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

is designated as the site manager and who is in possession of the keys to the Museum. Only the site manager and one alternate may possess keys.

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

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

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

- a. Property taxes
- b. Water bills
- c. Gas bills
- d. Electric bills
- e. Sewer charges
- f. Fire insurance on the building only.

7. The Association agrees to provide, at its own cost, the following:

- a. Insurance covering the contents of the Museum;
- b. General liability insurance for Museum premises.

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

The Town hereby agrees to reimburse the Association for the cost of General liability insurance out of the Town's budget account number 01-007270-4-0-4381-001, for a maximum cost of \$1,120. The Association shall be responsible for any additional costs.

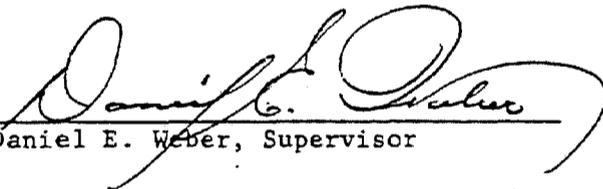
8. The Association may not assign its rights under this agreement to anyone else.

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

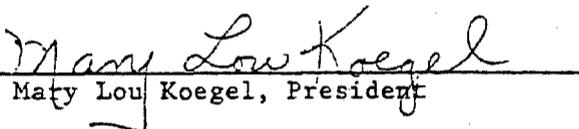
10. This agreement shall be effective for a term beginning on the date of this agreement and terminating on December 31, 1986.

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

TOWN OF CHEEKTOWAGA

By   
Daniel E. Weber, Supervisor

CHEEKTOWAGA HISTORICAL ASSOCIATION

By   
Mary Lou Koegel, President

Item No. 18 Motion by Councilman Johnson, Seconded by Councilman Gabryszak

WHEREAS, periodically, Town residents who have hearing impaired children residing with them request this Town to erect "Deaf Child Area" signs near their residences, and

WHEREAS, Section 1682 of the Vehicle and Traffic Law of the State of New York authorizes this Town Board to direct the placement and maintenance of traffic signs within the Town, and

WHEREAS, this Town Board desires to authorize the Sewer Maintenance Department to install "Deaf Chld Area" signs when appropriate, NOW, THEREFORE, BE IT

RESOLVED that the Sewer Maintenance Department be and hereby is authorized to, upon receipt of a properly-executed affidavit from a resident, install necessary "Deaf Child Area" signs in the areas near residences where hearing impaired children live.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga, pursuant to Eminent Domain Procedure Law, acquired title to real property known as Nob Hill on January 29, 1982, and

WHEREAS, the previous owner of said real property made a claim for additional compensation, based upon an appraisal prepared for it by Gurney, Becker & Bourne, Inc., and

WHEREAS, this condemnation proceeding has reached the stage where it is necessary that the Town have a qualified appraiser evaluate the appraisal prepared by Gurney, Becker and Bourne, Inc., NOW, THEREFORE, BE IT

RESOLVED that Grant Appraisal & Research Corporation be and hereby is retained to evaluate the aforementioned appraisal prepared by Gurney, Becker & Bourne, at a price not to exceed \$350.00.

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 W. Rogowski

WHEREAS, the 91st Annual IMSA Conference is sponsoring a Level III Signs & Markings and Public Safety Certification School, August 3-9, 1986, in Milwaukee, Wisconsin, and

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that Arthur J. Blachowski attend said school, NOW, THEREFORE, BE IT

RESOLVED that Arthur Blachowski be and hereby is authorized to attend the 91st Annual IMSA Conference and School, August 3-9, 1986 in Milwaukee, Wisconsin, and shall be pre-registered for a fee of \$160.00 which includes all qualified instructors, class materials and textbooks, and BE IT FURTHER

RESOLVED that Arthur Blachowski be reimbursed for all necessary and reasonable expenses, not to exceed \$750.00.

MOTION BY SUPERVISOR WEBER, SECONDED BY COUNCILMAN J. ROGOWSKI to table the above resolution and the voting was as follows:

Item No. 20 cont'd

Upon Roll Call....

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

THE ABOVE RESOLUTION WAS TABLED!

Item No. 21 Motion by Councilman Jaworowicz, Seconded by Councilman W. Rogowski

WHEREAS, Henry Snyder will be retiring from his position as Captain in the Cheektowaga Police Department, effective July 7, 1986, and

WHEREAS, the Chief of Police has recommended that the vacancy created by such retirement be filled to ensure continuity of effective supervision in the Police Department, and

WHEREAS, this Board agrees with the Chief of Police and desires to fill such vacancy, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby declares that, effective July 7, 1986, a vacancy will exist in the position of Captain in the Police Department, and BE IT FURTHER

RESOLVED that Lieutenant Frederick Netzel, who appears first on the eligible list resulting from the Erie County Civil Service list for Captain, be and hereby is promoted to the position of Captain in the Police Department, effective July 7, 1986.

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 Appointment to Planning Board  
This item was withdrawn.

Item No. 23a Motion by Councilman W. 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:

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

Effective

David Bryk  
Robert Kowal

Immediately  
6/7/86

Upon Roll Call....

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

Item No. 23b Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated as employees in the Department of Senior Services:

Charlotte Heeb; Adeline Sicignano; Doris Yea

Item No. 23b 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. 23c Motion by Councilman Gabryszak, Seconded by Councilman Kowal

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

<u>SANITATION DEPARTMENT</u>	<u>EFFECTIVE</u>
Daminski, Jerry	7/18/86
Hughes, Terry	7/18/86
Jasinski, Leonard	7/18/86
Krzeminski, Joseph	7/18/86
Orlikowski, David	7/18/86
Sliwinski, Raymond	7/18/86
Strzelczyk, Paul	7/18/86

POLICE DEPARTMENT - SCHOOL CROSSING GUARD/PART-TIME

Arlene Plucinski 6/2/86

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 J. Rogowski, Seconded by Supervisor Weber to dispense with the reading of names on Items 24A, 24B, 24C, 24D, 24E.

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. 24a Motion by Councilman J. Rogowski, Seconded by Councilman Jaworowicz

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

WHEREAS, the Summer Youth Program starts on July 7th, 1986, with participants working a maximum of 32 hours per week, at \$3.35 per hour, and

WHEREAS, all Summer Youth Participants will terminate on or before, but no later than September 30th, 1986, NOW, THEREFORE, BE IT

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

Ackerman, Clifford  
Aloisio, Gino  
Alvarado, Yvette

Item No. 24a cont'd

Armstrong, Richard	14225
Ast, Karen	Depew 14043
Avino, Michelle	Sloan 14212
Batch, Joanne	14225
Bauman, Amber	14225
Bauma, Jason	14225
Bender, Johnny	14227
Berst, Michael	14225
Binga, Colleen	Depew 14043
Blair, Barbara	14225
Blair, Leonard	14225
Bogdan, Michael	14225
Bojanek, Anthony	14225
Bolden, Curtiss	14215
Booker, Christopher	14225
Brantell, Michael	14227
Buck, Danny	14225
Buck, Lora	14225
Buck, Nathan	14225
Budziszewski, David	14227
Bunche, Richard	14227
Busalachi, John	14227
Carrick, Kristian (Ed)	14227
Ceranski, Matthew	14225
Chellino, Gino	14227
Clement, Cynthia	14225
Clement, Guy	14225
Clerici, Jeanne	14227
Connors, Barry	Depew 14043
Cooley, Dawn	14206
Couto, Anthony	14227
Couto, Randall	14227
Czamara, Jamie	14227
Dablewski, David	14225
Deck, Jeffrey	14225
DeFries, Carrie Lynn	14225
DelMonte, Paul	14225
Dentice, Frank	14225
Dentice, Jacqueline	14225
DePronio, Troy	14225
Dibble, Daniel	14227
Dibble, Donna	14227
Dibble, Edward	14227
Dibble, Jennifer	14227
Dibble, Lynn	14227
Dietl, David	14225
Dodge, Jennifer	14225
Dodge, Michael	14225
Dold, Heather	14225
Drzymala, Brian	14227
Dusza, Robin	14225
Eagle, Lisa	14227
Eagle, Timothy	14227
Edmonson, Daniel	14206
Edmonson, Robert	14206
Eich, Eliot	14206
Eich, Kelly (Ann)	14206
Eisenhauer, Larry	14206
Fialkowski, Jeffrey	14227
Fischer, Donald	14215
Fischer, Jennifer	14206
Fischer, Michael	14206
Fix, Christopher	14225
Fix, Jennifer	14225
Freeman, Ebin	Depew 14043
Fronczak, Richard	14225
Gaghich, Tracy	14225

Item No. 24a cont'd

Gamache, Steven	14215
Gatza, Darcie	14225
Gawron, Edward	14206
Gibbons, Mary	Sloan 14206
Gisel, Karen	14225
Glass, Timothy	14227
Glasser, Patrick	Depew 14043
Glasser, Stephen	Depew 14043
Gorney, Gina	14227
Gott, Joseph	14206
Gott, Tracy (Ann)	14206
Grace, John	14225
Grassl, Sheila	14225
Grimm, Wayne	14225
Grzbowski, James	Depew 14043
Haskins, Teri	14225
Hidy, Jasen	14225
Higgins, Anthony	14225
Higgins, Kelly (James)	Depew 14043
Hnielewski, Steven	14225
Hofarth, Carol	14225
Hoffman, Harry	14225
Horan, Eric	14227
Hornung, David	14225
Hornung, Michael	14225
Huenniger, Daryl	14227
Hutson, Martin	14225
Huynh, Thai	14227
Ineson, Jason	Sloan 14212
Jakubowicz, Bonita	14227
Jakubowicz, Thomas	14227
Jankowski, Mary	14227
Jankowski, Sherry	14227
Johnson, Vandess (Marie)	14227
Jones, James	14225
Jreige, Edward	14227
Juliano, Donald	14225
Jurkiewicz, Dawn	14206
Juszczak, Cherise	14227
Juszczak, Crystal	14227
Kane, Christine	14225
Kane, Shelly	14225
Karam, Bryon	14225
Karam, Christopher	14225
Kazmierczak, Pamela	14211
Kendall, Michelle	14227
Knapik, Bobbi Jo	14225
Knibbs, Robert	14227
Kopcinski, Eric	14211
Kozak, Darlene	14225
Kross, Jason	14225
Krzyzykowski, Daniel	14225
Kush, Kevin	14206
Kwiatkowski, Edward	14225
Lane, Paul	14206
Lange, Kevin	Depew 14043
Lattuca, Gregory	14225
LeRoy, Jeffrey	14225
Lewczyk, James	14225
Lewis, Stephen	14225
Limardi, James	14225
Lind, Charles	14206
Lisowski, Daniel	14206
Love, Mary	14225
Luman, James	Depew 14043
Maguda, Christopher	14225
Mainella, Stacey (James)	14227

Item No. 24a cont'd

Male, Marc	14225
Marasciulo, Richard	14227
Marciniak, Brian	. 14227
Marranco, Joseph	Depew 14043
Martin, Robert	14225
Maslowski, Steve	Sloan 14212
Matela, Kenneth	14227
McCarthy, Aaron	Depew 14043
McGlynn, Michelle	14227
McGlynn, Sherri	14227
McKibbin, Nicole	Depew 14043
Mendrykowski, Denise (Marie)	14227
Mercurio, Melissa	14225
Mielcarek, Brian	14206
Militello, Lynn	14227
Miller, Mark	14225
Mormina, Patricia	14227
Muehlbauer, Brian	14215
Muehlbauer, Jamie	14215
Mularski, Joel	14227
Myers, Jeanine	14225
Nati, Danielle	14206
Nati, Glory	14206
Nawrocki, James	Depew 14043
Nelson, Brenda	14225
Nero, Lisa	14225
Newman, Bonnie	14225
Newman, Paul	14225
Noga, Joseph	14225
Obstarczyk, Jeffrey	14227
Olgiati, Denise (Marie)	14225
Olivieri, Craig	14227
ryszak, Steven	14225
Pajax, Alex	14227
Paradowski, Dennis (John)	14227
Patterson, Jason	14225
Pawlak, Michelle	14225
Pellegrino, Jerry	14225
Petersdorf, Belinda	14225
Petersdorf, Melissa	14225
Petersdorf, Norman	14225
Pielich, Jeffrey	14225
Pielich, John	14225
Pilc, Rachael	14206
Polizzi, Brian	14206
Pszczolkowski, Robert	14211
Punturiero, Jeffrey	14227
Punturiero, Valerie	14227
POadwanski, Doublas	14227
Radwanski, Jacqueline	14227
Rapp, Brian	14206
Rapp, Rena	Depew 14043
Rejnal, Paulette	14225
Rhinehart, Jane	14225
Rhinehart, Jennifer	14225
Rhinehart, Jerry	14225
Ricotta, Terri (Lynn)	Depew 14043
Riedel, James	14225
Riley, Shane	14225
Robichaud, Thomas	4225
Rowland, Lisa	4206
Rowland, Marvin	4206
Rudolph, Glenn	Depew 14043
Russo, Jeffrey	Depew 14043
Russo, John	Depew 14043
Ruth, Cyril	14225
Ruth, Neil	14225

Item No. 24a cont'd

Ruth, Suann	14225
Sarama, Marcy	14227
Scharmach, Frank	14206
Schiffman, Kevin	14225
Schober, Jerome	Depew 14043
Schradger, Patrick	Depew 14043
Schragel, Paul	Sloan 14212
Schreiner, Donnie	14225
Schultz, Paul	Depew 14043
Schultz, Todd	14227
Sciortino, Dina	14211
Sciortino, Grace	14211
Serra, Daniel	Sloan 14212
Serra, John	Sloan 14212
Serra, Joseph	Sloan 14212
Shivens, Kathleen	14225
Shotwell, Ann	14227
Shotwell, William	14227
Sieroslowski, James	Depew 14043
Sieroslowski, John	Depew 14043
Sieroslowski, Lynn	Depew 14043
Sigman, Leonard	14225
Silva, Joseph	14206
Sisk, Wayne	14212
Skotarczak, Theresa	14215
Skrabski, Wendy	14206
Spencer, Denise (June)	Sloan 14206
Spoly, Timothy	14225
Stanko, Michele	14225
Stecenko, Victor	Depew 14043
Stein, Joseph	14225
Steinwandel, Richard	14225
Stevens, Mark	14225
Stock, Pamela	14225
Stoddard, Shawn	Depew 14043
Stoklosa, Pamela	14225
Strait, Joseph	Sloan 14212
Strozewski, Sandra	14225
Suozzi, Theresa	14227
Surdej, David	Sloan 14212
Sutton, Gary	Depew 14043
Sutton, Mark	Depew 14043
Syrell, Kevin	14225
Szmanda, David	14225
Taton, Kimberly	14227
Taton, Tammie	14227
Terranova, Anthony	Depew 14043
Then, Michael	14227
Thomas, Nicholas	14225
Thompson, Brian	Sloan 14206
Thompson, Danny	Sloan 14206
Thompson, Eric	Sloan 14206
Totaro, Joseph	4225
Toy, Timothy	14227
Urbaniak, Michael	Depew 14043
Vanderwalker, Daren	14225
Vantine, Marc	14227
Voit, Tracy	14227
Walters, William	14225
Watts, Carter, Jr.	Bflo 14206
Waziak, Marie	14225
Weber, Edward	14225
Weber, Michael	14227
Weber, Penny (Ann)	14225
Werts, Edward	Depew 14043
Widzinski, Michael	14227
Wild, Theresa	Depew 14043

Item No. 24a cont'd

Williams, Dennis	14206
Williams, Kelly (Lynn)	14225
Wise, Robert	14206
Witkowski, Danielle	14225
Wright, Lisa	14227
Wright, William	14227
Wypij, Deborah	14206
Wypij, Peggy	14206
Yaple, Andrew	14225
Yea, Andrew	14225
Yogerst, Earl	14227
Zagst, Michael	14206
Zietkiewicz, Brian	14227
Zipp, Judy	Depew 14043
Booker, Kim	14211
Hoddick, Jennie	14225
Kuznicki, Dawn	14227
Pietrzak, Andrea	Sloan 14212
Shampoe, Cheryl	14225
Wach, John	14206
Wach, Kelly (Ann)	14206
Wise, Marybeth	Depew 14043

SUMMER YOUTH STAFF

Principal Counselor at \$9.25 per hour with a starting date of June 9th, 1986

Peter Tonsoline

Senior Counselor at \$8.30 per hour with a starting date of June 23rd, 1986

Vincent Frisicaro

Advisor at \$5.25 per hour with a starting date of June 30th, 1986

Lori Crohan

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 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 \$3.35 per hour as follows:

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

	<u>Effective</u>
Stephen Rutkowski	Immediately
Michael Dudas	Immediately
Joseph Burgio	6/23/86
Richard Coffta	6/23/86
John Kochel	6/23/86
Douglas Dixon	6/23/86
Michael Zielinski	Immediately
Erich J. Fuerter	Immediately
Billy J. Spradin	Immediately

Item No. 24b cont'd

#01-007110-1-0-1391-001 - at the rate of \$4.00 per hour

Carol Brinkworth

6/23/86

Bldg. Mtce. Division-#01-001625-1-0-1391-001 - at the rate of \$4.50 per hr.

Linda Ruhland

6/23/86

#01-001625-1-0-1491-001 - at the rate of \$4.00 per hour

Josephine Ratajczak

6/23/86

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

Kevin Lenartowicz

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. 24c Motion by Councilman W. Rogowski, Seconded by Councilman Gabryszak

BE IT RESOLVED that the following be hired to aid the Cheektowaga Recreation Department in conducting its 1986 summer programs

RECREATION LEADER - \$4.25 per hour - A7140.1614

Barbara Coia

LIFEGUARD ALTERNATES

Jonathan Brydalski  
Chris Nietopski  
Stephen Glasser

BASKET CHECKER ALTERNATES

Mark Iotonna  
Lori Langl  
Leanne Nicosia

PARK ATTENDANT ALTERNATES

Kimberly Zydel  
Mark Angrisano  
Heather Brandon  
Kenneth Chevillot  
Donald Clark  
Timothy Majerski  
Bernard Ruda  
Tara Froehlich  
Paul Meyer  
Sandy Hearn  
Leslie Ann Fischer

and BE IT FURTHER

RESOLVED that the following be transferred from Recreation Leader A7140.1614 to:

PLAYGROUND SUPERVISOR - \$175.00 per week - 9 weeks - A7140.1613

Nancy Kubiak

Item No. 24c cont'd

and BE IT FURTHER

RESOLVED that the above personnel be terminated effective September 1, 1986.

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 W. Rogowski, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals listed below be hired for the Youth Bureau's Cheektowaga Conservation Corps Program at the designated titles and salaries, effective immediately:

Youth Leaders - \$3.75 per hour - (7310.1812)

Timothy Duza 14227  
Kelly Ejnik 14043

Summer Trainees - \$3.10 per hour - (7310.1812)

Bruce Stutz 14212  
Bill Greentaner 14206  
Jason Foks 14225  
Darrin Kubik 14227  
Mark Brotz 14043  
Kevin Wier 14227  
John Pollock 14227  
Brian Niedzielski 14043  
Alexander Grierson 14225  
Darren Juskiewicz 14227  
Jeffrey Kowalewski 14043  
Michele Young 14043  
Jim Kowalski 14043  
James O'Rawe 14227  
Rodney Burns 14227  
Michelle Wojtkowiak 14227  
Mark Andrzejewski 14043  
Brian Kindzierski 14227  
Dennis Braniecki 14206  
Darryl Stachura 14043  
Jeffrey Stefoniak 14227  
Sandra Carcaterro 14225  
Dale Wittmer 14225  
Lisa Schaul 14227  
Mark Jakubik 14043  
Dennis Mrugalski 14225  
Michael Gulczewski 14206  
Jason Tambe 14206  
Robert Rusinski 14225  
Mark Wipperman 14227  
Keith Gawronski 14227  
Michael Ostempowski 14227  
Ken Jasinski 14212  
Guy Zagara 14225  
Kevin Wojtaszczyk 14043  
Paul Kumpf , 14215  
Gleen Osswald 14225  
Jeffrey Calo 14227  
Norbert Beiter 14225  
James Kosinski 14043  
Greg Osswald 14225  
Kevin Kaczorowski 14227

Item No. 24d cont'd

Roger Tavares	14206
Shawn Dibble	14043
Dave Lisiecki	14212
Charles Geary	14227
Brian Melber	14043
Robert Ring	14043
Ken Kaczanowski	14227
Gerry Kubiak	, 14206
Jeff Holtyn	14227
Dan Sobkowiak	14227

Upon Roll Call....

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

Item No. 24e Motion by Councilman Johnson, Seconded by Councilman Kowal

BE IT RESOLVED that the following individuals be and hereby are hired as Seasonal and/or Part-time employees in the various departments as listed at a rate of \$3.35 per hour unless otherwise stated:

	<u>EFFECTIVE</u>
<u>SEWER MAINTENANCE DEPARTMENT/SEASONAL</u>	
Paul Kalczynski	6/17/86
Kevin Bartosz	6/30/86
Kenneth Myszka	6/30/86
Kimberly Burst	7/7/86
<u>ASSESSOR'S OFFICE/SEASONAL</u>	
Michael Domagala	Immediately
Kimberly Nowakowski	6/4/86 (retro)
<u>SANITATION DEPARTMENT/SEASONAL</u>	
Karen Macris	Immediately
<u>POLICE DEPARTMENT-SCHOOL CROSSING GUARD/PART-TIME - AS PER SALARY ESTABLISHED BY TOWN BOARD</u>	
Joanne Idziak	6/16/86

Upon Roll Call....

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

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

WHEREAS, the developer of the Losson Green Estates Subdivision has furnished and installed ten (10) 5200 lumen high pressure sodium luminaires, fiberglass standards and related conduit and conductors, required in conjunction with Phase I of this subdivision, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric and Gas Corporation be and hereby is authorized to connect ten (10) 5200 lumen high pressure sodium luminaires at an annual increase to the Town's General Lighting District of \$423.20 in accordance with the attached proposal dated June 12, 1986, which is hereby made a part of this resolution.

Item No. 25 cont'd

Three (3) on Rushford Lane,  
Five (5) on Ashleaf Drive, and  
Two (2) on Hillpine Road

located in Phase I of the Losson Green Subdivision.

\* See next two (2) pages for proposal

Upon Roll Call....

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

NAYES: 0

ABSENT: 0



June 12, 1986

STREET LIGHTING PROPOSAL  
TOWN OF CHEEKTOWAGA  
LOSSON GREEN ESTATES

Ashleaf Drive - 5  
Hillpine Road - 2  
Rushford Lane - 3

Connect 10 - 5800 lumen post top high-pressure sodium fixtures

Energy and lamp bulb rate @ \$42.32 ea. ----- \$ 423.20

(see attached sketch)

ANNUAL INCREASE ----- \$ 423.20

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

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



Item No. 26 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 June 16th, 1986 are hereby approved and made a part hereof.

<u>FUND</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 246,226.20
SPECIAL DISTRICTS FUND	65,113.99
HIGHWAY FUND	38,659.29
FEDERAL REVENUE SHARING FUND	5,127.45
CAPITAL FUND	1,950.00
TRUST AND AGENCY FUND	5,916.62
COMMUNITY DEVELOPMENT	990.37
PART TOWN FUND	3,456.96
DEBT SERVICE FUND	1,121,310.00
SPECIAL ASSESSMENTS FUND	52,198.17
HUD-CDBG FUND	19,766.68
	<u>\$1,560,715.73</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. 27 Motion by Councilman W. Rogowski, Seconded by Councilman J. Rogowski

WHEREAS, two (2) General Mechanic vacancies exist in the Cheektowaga Facilities Department Parks Division, NOW, THEREFORE, BE IT

RESOLVED that the following individuals are hereby appointed to the positions of General Mechanic effective June 4, 1986:

Francis Keefe	Winter Season 1st Shift Tues., Wed., Thurs., Fri., Sat.
Cheektowaga, NY 14225	Summer Season 1st Shift Mon., Tues., Wed., Thurs., Fri.
Raymond Bienik	Winter Season 2nd Shift Sun., Mon., Tues., Wed., Thurs.
Cheektowaga, New York 14206	Summer Season 1st Shift Mon., Tues., Wed., Sat., Sun.

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 28a Minutes of Meeting of Library Board - May  
Received and Filed.

Item No. 28b Minutes of Meeting of Traffic Safety Commission - May  
Received and Filed.

V. GENERAL COMMUNICATIONS

- Item No. 29 Communication from The Public Policy Institute  
Copies were sent to: Town Board Members; Chester Bryan, Town Engineer; Ron Zoeller, Working Foreman in Sanitation.  
Received and Filed.
- Item No. 30 Special Franchise Assessment - N.Y. Telephone  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Casey Kozminski, Town Assessor.  
Received and Filed.
- Item No. 31 Third Party Summons - D. Pickens vs A. Pantelis & J.H. Bertrand; A. Pantelis & J.H. Bertrand vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Leonard Smolarek, Chief of Police; Joseph J. Naples, Insurance Company  
Received and Filed.
- Item No. 32a NOTICE OF CLAIM - Joseph Gerevics & Patriot General Insurance Co. vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Joseph J. Naples, Insurance Company; Alfred Wnek, Highway Superintendent.  
Received and Filed.
- Item No. 32b NOTICE OF CLAIM - Metropolitan Insurance as subrogee of Betty M. Wieczorek vs Town of Cheektowaga  
Copies were sent to: Daniel E. Weber, Supervisor; James Kirisits, Town Attorney; Thomas M. Johnson, Jr., Councilman; Sylvia Slawiak, Accounting Department; Leonard J. Smolarek, Chief of Police; E.T. Clauss, Insurance Company.  
Received and Filed.
- Item No. 33 Letter from resident wishing to address the Board  
Copies were sent to: Town Board Members; Alfred Wnek, Highway Department; Ron Marten, Building and Plumbing Inspector.  
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman J. Rogowski, Seconded by Councilman Johnson 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. 34 Motion by Councilman J. Rogowski, Seconded by Councilman Johnson

WHEREAS, among other provisions, the Last Will and Testament of Dr. Victor Reinstein creates a certain family trust; and upon the death of all of the named life beneficiaries of such trust, the remainder is to be distributed to the "County of Erie" or the "Town of Cheektowaga" for capital construction by expanding the physical library buildings in the Town of Cheektowaga or the erection of new library or libraries; and

Item No. 34 cont'd

WHEREAS, the legal representatives of the named life beneficiaries have petitioned the Surrogate Court for a reformation of the family trust so that same might qualify for a charitable deduction under the Internal Revenue Code; and

WHEREAS, the complexities of the aforementioned documents and the options available to the Town require specialized professional real property investment and appraisal services, NOW, THEREFORE, BE IT

WHEREAS, that the designee of the Town Assessor be and he hereby is retained to provide specialized professional real property investment and/or appraisal services to the Town Board, and that such services be invoiced and audited by the Town Assessor.

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.

RICHARD M. MOLESKI  
Town Clerk

PUBLIC HEARINGS held at 6:30 P.M.

NO.

ITEM

Meeting No. 13 July 7, 1986

- 1 2460 Union Road - Rezoning from RC-Restricted Business to C-Retail Business
- 2 2285 Walden Avenue - Rezoning from M1-Light Manufacturing to CM-General Commercial and Special Use Permit for car wash and gasoline dispensing facility

Meeting No. 14 July 21, 1986

- 1 1159 French Road - Rezoning from R-Residential to C-Retail Business District
- 2 2567 Union Road - Special Use Permit for auto storage
- 3 S.W. Corner of Union & William - Special Use Permit for service station and automobile laundry

PUBLIC HEARINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 13 July 7, 1986</u>	
2	Amendment to Parks Ordinance - proposed Section 48-11.A.	1
3	Construction of alteral sewers along Walden Avenue in Sewer Dist. No. 7, Depew Ext. 2	1-2
	<u>Meeting No. 15 August 4, 1986</u>	
2	Amendment to Chapter 76 of Code of Town of Cheektowaga (Vehicle and Traffic) Art. IX - "Speed Regulations"; Art. XIII "Truck Exclusions"	2-3

R E S O L U T I O N S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 13 July 7, 1986</u>	
4	DECISIONS ON:	
	a. Rezoning at 870 Borden Road	2-3
	b. Rezoning at 555 Cayuga Creek Road	3
	c. Special Use Permit at 555 Cayuga Creek Road	4
	d. Rezoning at 2009 William Street	4-5
	e. Special Use Permit at 2009 William Street	5-6
	f. Rezoning at 4760 Union Road	6
	g. Amendment to Traffic Ordinance - Art. VIII "Stop & Yield Intersections: Marywood Drive, Old Stone Rd. & Garfield Ct.	6-7
	H. Amendment to Parks Ordinance: New Sect. 48-11.A. - Consumption of Alcoholic Beverages Restricted	8
5	CALL FOR PUBLIC HEARING:	
	a. Rezoning from R-Residential to C-Retail Business Dist. at 1159 French Road	9
	b. Special Use Permit for auto storage at 2567 Union Road	10
	c. Special Use Permit for service station and automobile laundry at S.W. Corner of Union Road and William St.	11
6	NOTICE TO BIDDERS:	
	a. Two (2) new Three (3) Cubic Yard Four-Wheel Drive Rubber Tire Loaders and One (1) New Brush Chipper for Highway Dept.	12
	b. Various Sanitary Sewer Connections in San. Sewer Dists. 5 & 7	13-14
	c. Trucks with Refuse Packers	15
	d. Construction of pond in Stiglmeier Park	
7	Notice of Public Information Meeting: Northeast Communities Solid Waste Management Board	18
8	Award of Bid - Fuel, Oil, Lubricants for Highway	19-20
9	Authorize Chief of Police to purchase two (2) 1985 Dodge Diplomats for Police Department	20
10	TERMINATIONS OF SEASONAL EMPLOYEES IN:	
	a. Facilities Department	20
	b. Main Pump Station	
11	Terminations and appointments in Developmentally Disabled Summer Day Camp Program	21
12	HIRING OF:	
	a. Seasonal employees in Facilities Department	21-22
	b. Seasonal employees in Recreation Department	22
	c. Seasonal employees in Various Departments	22-23
	d. Certain programs of Youth Bureau	23-24
	e. Buffalo-Cheektowaga-Tonawanda Consortium, Summer Youth Prog.	24-25
13	Reappointment of Member of Cheektowaga Planning Board	25
14	Appointment of Members of Cheketowaga Polish-American Festival Committee	25-26
15	Defense and indemnification of Cheektowaga-Maryvale School District regarding town's Summer Recreational Program	26
16	AUTHORIZATION FOR TOWN TO PURCHASE:	
	a. Special Events Insurance	26
	b. Land on Broad Street	26-27
	c. Land on Strasmer Road	27
17	APPROVAL OF:	
	a. Community Development loan funds	27-28
	b. Rental Rehabilitation loan funds	28-29
	c. Payment for San. Sewer Excavation in San. Sewer Dist. #5	29
	d. Vouchers for Sewer Repair in San. Sewer District #5	29-30
	e. Amended development plan for 35 French Road	31
18	AUTHORIZE:	
	a. Town Attorney to prepare agreement for exchange of property on Old Losson Road	31-32

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	b. Supervisor to sign agreement for provision of services for construction of sanitary sewers along south side of Walden Avenue, east of Dick Road in San. Sewer Dist. #7	32
	c. Supervisor to execute Grant Agreement and Funding approval with Department of Housing and Urban Development	32-33
19	Change ORder No. 1 for modification of various Town Buildings to facilitate use by the handicapped	34
20	Direct Erie County Water Authority to install fire hydrant on William Street	35
21	Authorize N.Y.S. Electric & Gas to connect street light on Davidson Drive	35
22	CLEAN-UP OF PROPERTY LOCATED AT:	36
	a. West corner of Barone Circle, east corner of Dick Road and southwest corner of Barone Circle	36
	b. 812 Borden Road	36-37
	c. 402 Cayuga Road	37
	d. West corner of French Road and Towers Boulevard	37
	e. Rear of 3466 Genesee Street	37-38
	f. 91 Newport Road	38
	g. 115 Pine Ridge Road	38
	h. William Street between Starlight Avenue and Tamark	39
23	Transfer of Funds	39
24	Warrant List	39

Meeting No. 14 July 21, 1986

2	Call for public hearing for amendment to Traffic Ord. - Art. IX "Speed Regulations"; ART. XIII "Truck Exclusions"	1-2
3	AWARD OF BIDS	
	a. Air conditioning system at Police & Court Building	3
	b. Football equipment	4
4	Notice to Bidders - application of chemical root control agent to sanitary sewer lines	5
5	MEMORIALIZE:	
	a. N.Y.S. regarding proposal for elderly housing	6
	b. Department of Housing and Urban Development regarding proposal for elderly housing	6
6	AUTHORIZATION FOR SUPERVISOR TO SIGN:	
	a. Loan agreement regarding Community Development loan funds	6-7
	b. Agreement with Cheektowaga Economic Development Corporation	7
	c. "STOP-DWI" Agreement with County of Erie	7-8
	d. Agreement regarding Polish-American Arts Festival	9
	e. Agreement with Ronald Chernow Communication Services, Inc.	9
7	ACCEPTANCE OF STREETS/EASEMENTS REGARDING LOSSON-GREEN SUBDIVISION:	
	a. Streets - Phase I	10
	b. Streets - Phase II	11
	c. Easements - Phase I	12
	d. Easements - Phase II	13
8	Acceptance of subdivision - S.E. Corner of Como Park Blvd. & Borden Road	14
9	AUTHORIZATION FOR TOWN CLERK TO ISSUE:	
	a. New ambulance driver(s)/attendant(s) licenses	14
	b. Renewal ambulance driver(s)/attendant(s) licenses	15
10	Termination of site manager(s) and hiring of part-time manager(s)	16
11	TERMINATION OF SEASONAL/PART-TIME EMPLOYEES:	
	a. Facilities	16
	b. Justice Court	16
	c. Sanitation	16-17

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 14 July 21, 1986 cont'd</u>		
12	HIRING OF SEASONAL EMPLOYEES: a. Facilities b. Main Pump Station	17 17
13	CREATE POSITIONS: a. Fire Inspector (Full-Time) - Building Department b. General Mechanic in Facilities	17-18 18
14	Leave of absence for Senior Clerk in Assessor's Office	18
15	Clean-up of property - 133 Hoerner	18-19
16	Change Order - Handicapped Renovation Project	19
17	Permission for N.Y.S. Electric & Gas to connect luminaires on Jessica Lane	20
18	Transfer of Funds	21
19	Warrant List	21
<u>Meeting No. 15 August 4, 1986</u>		
3	Call for public hearing for acquisition of certain property as addition to Stiglmeler Park	2-3
4	AWARD OF BID: a. One (1) new Brush Chipper b. Furniture for Police Department c. Sanitary sewer remedial work on San. Sewer Districts #5 & #7 d. Town Hall exterior building repairs e. Town sidewalk construction	3 4 4 5 5-6
5	NOTICE TO BIDDERS: a. Diesel air compressor for Sewer Maintenance b. Resurfacing of various Town streets c. Snow plow blades, wing blades, etc.	6 7 8
6	Authorization for Town Attorney to prepare agreement for exchange of property on Old Losson Road	9
7	Acceptance of Babbett Subdivision	9-10
8	Authorization for payment of overtime wages to several employees in Sewer Maintenance Department	10
9	AUTHORIZATION FOR SUPERVISOR TO EXECUTE: a. Quit Claim Deed b. Agreement/N.Y.S. Dept. of Trans. regarding Walden Avenue Road Improvement Project c. Application for State Aid regarding funding for Youth Programs d. Agreement regarding Community Development loan funds	10-11 12 12 12-13
10a	Appointment to Planning Board	13
10b	Appointment to Planning Board	13
11	TERMINATIONS: a. Cheektowaga Conservation Corps Program b. Cheektowaga Conservation Corps Program and Adapted Recreation Program c. Facilities Department	13-14 14 14-15
12	HIRING OF SEASONAL EMPLOYEES: a. Facilities Department b. Sanitation Department	15 15-16
13	Extended sick leave for sanitation employee	16
14	Authorization for employee of Main Pump Station to attend workshop	16
15	Transfer of funds	16-17
16	Warrant List	17

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 16 August 18, 1986</u>		
2	Change date of next regular Town Board Meeting	1
3	Permit public comment at Town Board meetings during Public Hearings and before consideration of resolutions	1-2
4	DECISIONS ON: a. Rezoning at 2460 Transit Road b. Amendment to Traffic Ordinance: Art. IX "Speed Regulations" Section A.3. - Aero Drive and Art. XIII "Truck Exclusions" - Dingens Street	2-3 4-5
5	CALL FOR PUBLIC HEARING: a. Rezoning at 782 Losson Road from R-Residential to RC-Restricted Business District b. Rezoning and Special Use Permit at 4565 Genesee Street for auto servicing, maintenance, storage, rentals and sales	6 7
6	AWARD OF BID a. Two (2) Rubber Tire Loaders for Highway Department b. Application of Chemical Root Control Agent to San. Sewer Lines c. Construction of Pond and Parking Facilities in Stiglmeier Park	8 8 9
7	TERMINATION OF SEASONAL EMPLOYEES IN: a. Facilities Department b. Various Departments	9 9-10
8	APPOINTMENT OF: a. General Mechanic in Facilities Department b. General Mechanic in Facilities Department c. General Mechanic in Facilities Department	10 10 10
9	HIRING OF: a. Seasonal employees in Facilities Department b. Seasonal employees in various departments c. Participants in Youth Bureau Program	10-11 11 11-12
10	Extension of leave of absence for Sr. Clerk in Assessor's Office	12
11	AUTHORIZATION FOR: a. Town Clerk and Supervising Accountant to attend Bond Closing b. Chief of Police to attend Conference	12 12-13
12	Retain Attorney to represent Town in Assessment Review Proceedings	13
13	Grant for continuation of Meals on Wheels Program	13
14	AUTHORIZATION FOR: a. Firm to perform Inspections of Wood Beams at Reinstein Memorial Library b. Certain Police Officers to participate in 100 Club of Buffalo, Inc., Honor Guard Procession c. Supervisor to sign Three-Year Cooperation Agreement with Villages regarding Community Development Funds d. Supervisor to sign Subordinate Mortgage regarding Housing Rehabilitation Loan e. Supervisor to sign Dog Disposal Agreement	13-14 14 14-15 15 15-16
15	ACCEPT: a. Deed to strip of land in Del Prince Estates Subdivision b. Proposal of Nussbaumer & Clarke, Inc. for Preparation of plans and Specifications for construction of sanitary sewer in Stiglmeier Park	16 17
16	Petition E.C. Water Authority to convey to Town abandoned railroad property north of Raymond Street and Sandy Lane	17
17	Memorialize N.F.T.A and F.A.A. to prohibit landing fo Concorde at Greater Buffalo International Airport	17-18
18	Permission for developer to install two (2) hydrants on Babbette Drive	18
19	Approval of Public Improvement for portion of Babbette Subdivision	18-19
20	Authorize Niagara Mohawk to convert street lights on Ellwood PL.	19

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