

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of April, 1991 at 7:30 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Richard B. Solecki
Councilman William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Ronald Marten, Building & Plumbing Inspector; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Kenneth Kopacz, Director of Youth and Recreation Services; Greg Joos, Employee Relations Coordinator; Casimir A. Kozminski, Assessor and Leonard Szymanski, Facilities Foreman.

I. FROM THE TABLE

Item No. 2 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

BE IT RESOLVED that the salary rates for the below listed individuals be adopted as follows, to reflect the new minimum wage law, effective April 1, 1991 (01-7310-0001-1803):

PROGRAM COORDINATOR - \$7.75 per hour

Deborah Ann Fleetwood 14043

ASSISTANT PROGRAM COORDINATOR - \$6.75 per hour

Paulette Mecca 14225

ACTIVITY DIRECTOR I - \$6.25 per hour

David Imiola 14227

ACTIVITY DIRECTOR II - \$6.10 per hour

Barbara Zielinski 14225

SENIOR COUNSELORS - \$5.00 per hour

Paul Marchewka 14227

Anne Priester 14225

Christy Male 14225

Kathy Miller 14227

COUNSELOR III - \$4.75 per hour

Cindy Principato 14225

Elizabeth Gagola 14227

Colleen Schaub 14227

David Topor 14225

Item No. 2 continued

COUNSELOR II - \$4.50 per hour

Linda Mutka	14225
Laura Mutka	14225
Kirsten Weir	14043

COUNSELOR I - \$4.25 per hour

Tracy Hoerner	14043
Karen Noworyta	14043
Kristen Loughlin	14225
Amy Wetmore	14227
Jennifer Tobolski	14227

ADMINISTRATIVE INTERN PROGRAM - 01-7310-0001-1804 - \$7.00 per hour

Amy Meyers	14227
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01-7310-0001-1804 - \$6.00 per hour

Jason Backes	14043
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PROGRAM COORDINATOR - 01-7310-0001-1811- \$9.75 per hour

Ellen Fischer	14225
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RECREATION ATTENDANTS - \$4.25 per hour - 01-7140-0001-1612

Donna Bartochowski	14227
Joanne Haas	14225

WRESTING INSTRUCTORS - CHEEKTOWAGA CENTRAL HIGH SCHOOL - \$4.25 per hour
01-7140-0001-1615

Todd Burkard	14225
Erik Bojarski	14215
Jason Wartinger	14225
John Wanat	14211
James Okun	14043

J.F.K. High School Recreation Attendants - \$4.25 per hour - 01-7140-0001-1615

Jeffrey Bakowski	14206
Kevin Burke	14206
Jason Cwiklinski	14227
Jason Dauscher	14206
Brian Hondzinski	14227
Jason Kenjockey	14206
Mark Ostempowski	14206
Jeffrey Pula	14206
Keith Sokolowski	14206
Michael Stachura	14206
Shawn Surdej	14212
Greg Wazny	14227
Jeffrey Wheeler	14206

ATTENDANT - SCHOOL SWIM PROGRAM - \$4.25 per hour - 01-7410-0001-1615

Keith Bova	14225
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BE IT FURTHER RESOLVED that the below listed individual be hired as a Soccer Instructor in the Youth and Recreational Services Soccer Program at a salary rate of \$4.25 per hour (01-7140-0001-1611):

Matthew J. Haberl	14225
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Item No. 2 continued

MOTION BY COUNCILMAN KULYK, SECONDED BY SUPERVISOR SWIATEK
TO SUBSTITUTE THE FOLLOWING RESOLUTION IN PLACE OF PREVIOUS ITEM
NO. 2 AS SUBMITTED AT THIS MEETING AS THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN KULYK
TO DISPENSE WITH READING OF THE NAMES FOR THE FOLLOWING RESOLUTION
AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Motion by Councilman Kulyk, Seconded by Councilman Blachowski

BE IT RESOLVED, that the salary rates for the below listed indivi-
duals be adopted as follows, to reflect the new minimum wage law, effective April 1,
1991 (01-7310-0001-1803):

COUNSELOR III - \$4.45 per hour

Cindy Principato	14225
Elizabeth Gagola	14225
Colleen Schaub	14227
David Topor	14225

COUNSELOR II - \$4.35 per hour

Linda Mutka	14225
Laura Mutka	14225
Kirsten Weir	14043

COUNSELOR I - \$4.25 per hour

Tracy Hoerner	14043
Karen Noworyta	14043
Kristen Loughlin	14225
Amy Wetmore	14227
Jennifer Tobolski	14227

RECREATION ATTENDANTS - \$4.25 per hour (01-7140-0001-1612)

Donna Bartochowski	14227
Joanne Haas	14225

WRESTLING INSTRUCTORS - Cheektowaga Central High School - \$4.25 per hour
(01-7140-0001-1615)

Todd Burkard	14225
Erik Bojarski	14215
Jason Wartinger	14225
John Wanat	14211
James Okun	14043

Item No. 2 continued

J.F.K. HIGH SCHOOL RECREATION ATTENDANTS - \$4.25 per hour (01-7140-0001-1615)

Jeffrey Bakowski	14206
Kevin Burke	14206
Jason Cwiklinski	14227
Jason Dauscher	14206
Brian Hondzinski	14227
Jason Kenjockey	14206
Mark Ostempowski	14206
Jeffrey Pula	14206
Keith Sokolowski	14206
Michael Stachura	14206
Shawn Surdej	14212
Greg Wazny	14227
Jeffrey Wheeler	14206

ATTENDANT - School Swim Program - \$4.25 per hour (01-7410-0001-1615)

Keith Bova 14225

AND,

BE IT FURTHER RESOLVED, that the below listed individual be hired as a Soccer Instructor in the Youth and Recreational Services Soccer Program at a salary rate of \$4.25 per hour (01-7140-0001-1611):

Matthew J. Haberl 14225

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk and Blachowski

NAYES: 0

ABSENT: Councilman Solecki and Rogowski

II. RESOLUTIONS

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

WHEREAS, Mary M. Angelo has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by P. Marrano Trust and located at 792 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 18th day of March, 1991 at 7:00 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of Mary M. Angelo 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 approved, and BE IT FURTHER

Item No. 3 continued

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

MOTION BY COUNCILMAN KULYK, SECONDED BY COUNCILMAN GABRYSZAK TO TABLE THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 4 Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on April 15, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 3rd day of April, 1991, said amendments being set forth in the Notice of Hearing.

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on April 15, 1991 at 7:30 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 VII

Turning Movements

76.74 No right on red.

The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

- B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:

The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Drive	Northbound	S.E. Corner
Isabelle Road	South	Applewood Road	Southbound	N.E. Corner

Item No. 4 continued

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

(3) The exclusion of county road(s) from Subsection A(1) shall not apply to the following named county road(s), which road(s) shall have an established speed limit of forty-five (45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the Section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Egbert Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Road westerly to the Amherst Town line
Beach Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village line southerly to the West Seneca Town Line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line
Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 952Q, northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State Route 277, westerly to the Buffalo City line
Indian Road - from Como Park Boulevard to Rowley Road

Item No. 4 continued

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Road to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to the south curblines of Madeira Drive extended.
Dubonnet Drive	east side	from the south curblines of Madeira Drive southerly to the Terminus
Farmingdale Road	west side	from the south curblines of Cleveland Drive to the south curblines of Greenway Boulevard extended
Peachtree Road	north side	from west curblines of Kaufman Road westerly 55 feet to a point
Ellicott Creek Rd	east side	from the north curblines of Aero Drive to a point 300 feet northerly
Countryside Lane	south side	from the east end of the west cul-de-sac to the west end of the east cul-de-sac
Countryside Lane	north-south leg	east and west side, from the south curblines of Como Park Boulevard to the north curblines of Countryside Lane (east-west leg)
Honorine Drive	west side	from the south curblines of Como Park Boulevard southerly to dead end
Hitchcock Drive	east side	from the south curblines of Como Park Boulevard southerly to dead end

MEETING NO. 7
April 1, 1991

Item No. 4 continued

C. No parking here to corner

Ellen Drive south side from the east curbline of Terry Lane easterly
30 feet to a point.

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

Dated: April 1, 1991

Richard M. Moleski
Town Clerk

AFFIDAVIT - NEXT PAGE

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

.....Melanie Walf....., 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 4, 1991..... ;
last publication..... April 4, 1991..... ;
and that no more than six days intervned be-
tween publications.

Melanie Walf.....

Sworn to before me this 4th.....

day of April....., 1991...

Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, in said Town of Cheektowaga, corner of Broadway and Union Road, Cheektowaga, New York, on April 15, 1991 at 7:30 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 VII

Turning Movements

76.74 No right on red
The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:
The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Drive	Northbound	S.E. Corner
Isabelle Road	South	Applewood Road	Southbound	N.E. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

(3) The exclusion of county road(s) from Subsection A(1) shall not apply to the following named county road(s), which road(s) shall have an established speed limit of forty-five(45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero Drive	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Eggett Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Drive westerly to the Amherst Town line
Beach Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village line southerly to the West Seneca Town line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line
Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 9520, northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State Route 277, westerly to the Buffalo City line
Indian Road - from Como Park Boulevard to Rowley Road.

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Roads to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

456
50
18012

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to the south curblines of Madeira Drive extended
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Dubonnet Drive.	east side	from the south curblines of Madeira Drive southerly to the Terminus
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Farmingdale Road	west side	from the south curblines of Cleveland Drive to the south curblines of Greenway Boulevard extended
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Peachtree Road	north side	from west curblines of Kaufman Road westerly 55 feet to a point
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Ellicott Creek Road	east side	from the north curblines of Aero Drive to a point 300 feet northerly
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Countryside Lane	south side	from the east end of the west cul-de-sac to the west end of the east cul-de-sac
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Countryside Lane	(north-south leg)	east and west side, from the south curblines of Como Park Boulevard to the north curblines of Countryside Lane (east-west leg)
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Honorine Drive	west side	from the south curblines of Como Park Boulevard southerly to dead end
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Hitchcock Drive	east side	from the south curblines of Como Park Boulevard southerly to dead end
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C. No parking here to corner

Ellen Drive	south side	from the east curblines of Terry Lane easterly 30 feet to a point
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
Dated: April 1, 1991

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 4, 1991

April 4, 1991 CHEEKTOWAGA TIMES 13

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

WHEREAS, proposals were solicited and received for the provision of professional services for the road and drainage improvements project identified as Cedargrove Heights Stage II, Phase VII Project, AND

WHEREAS, proposals from seven (7) consulting engineers were received by the Town Clerk and publicly opened on March 8, 1991 at 11:00 A.M., and reviewed by the Town Engineer and Director of Community/Development with analysis, tabulation and report hereto attached, AND

WHEREAS, this Town Board accepts the recommendation of the Town Engineer and the Director of Community Development that the bid be awarded to Nussbaumer & Clarke, Inc. as being the lowest responsible bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board accepts the recommendation of the Town Engineer and the Director of Community Development and hereby awards the contract for the provision of professional services for the Cedargrove Heights Stage II, Phase VII Project be and hereby is awarded to:

Nussbaumer & Clarke, Inc.
310 Delaware Avenue
Buffalo, New York 14202

for their total bid price of \$17,500, which professional work shall include survey, mapping, preparation of plans and specifications, services during construction and additional work as outlined in the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to enter into said contract with Nussbaumer & Clarke, Inc. for the provision of professional services for the Cedargrove Heights Stage II, Phase VII Project, AND, BE IT FURTHER

RESOLVED, that funding for this contract in the total amount of \$17,500 shall be paid from Community Block Grant Funds.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk and Blachowski

NAYES: 0

ABSENT: Councilman Solecki and Rogowski

* SEE NEXT PAGE(S) FOR ATTACHMENT

<u>Consultant</u>	<u>Field Survey & Mapping</u>	<u>Parcel Maps</u>	<u>Preparation of Plans, Specs, Contract & Bid Documents</u>	<u>Services During Constructi</u>
Nussbaumer & Clarke 310 Delaware Avenue Buffalo, NY 14202	\$1,500.00	\$200.00	\$6,350.00	\$4,250.00
Pratt & Huth Associates 60 Earhart Drive Williamsville, NY 14221	\$5,600.00	\$550.00	\$5,200.00	\$3,200.00
Wm. Schutt & Associates P.O. Box 46 5360 Genesee Street Bowmansville, NY 14026	\$4,000.00	\$800.00	\$9,000.00	\$3,000.00
DiDonato Associates 443 Delaware Avenue Buffalo, NY 14202	\$3,850.00	\$10.00	\$10,900.00	\$1,680.00
Donald Gallo 260 Elmwood Avenue Buffalo, NY 14222	\$7,300.00	\$2,000.00	\$11,300.00	\$5,800.00
Krehbiel Associates, Inc. 1870 Niagara Falls Blvd. Tonawanda, NY 14150	\$5,380.00	\$750.00	\$24,300.00	\$4,800.00
Tallamy, VanKuren, Gertis & Associates 70 Linwood Avenue Orchard Park, NY 14127	\$10,000.00	\$1,260.00	\$15,839.00	\$4,000.00

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

WHEREAS, as a result of advertisement, bids were received on March 11, 1991 for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins for 1991, 1992 and 1993 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 26, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins be awarded to Niagara Grass, 2601 Niagara Falls Boulevard, Niagara Falls, New York 14304 for submission of the lowest bid meeting the requirements of the specifications in the amount of \$6,800.00, AND, BE IT FURTHER

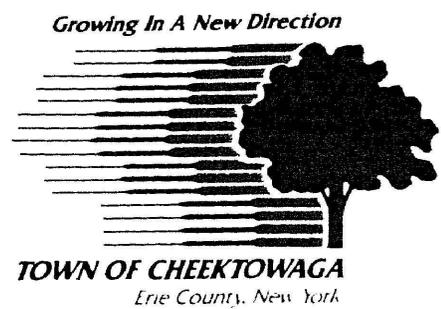
RESOLVED, that funds have been budgeted for maintenance in account Nos. 06-0834-0000, 06-0831-0000 and 06-0833-0000.

Upon Roll Call....

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



March 26, 1991

TO SUPERVISOR SWIATEK AND
TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing Equipment & Operators
for Mowing Three (3) Galleria
Detention Basins for 1991-1993

Gentlemen:

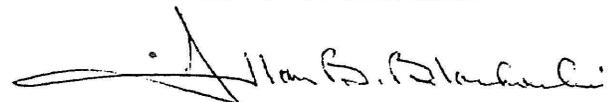
Bids were received and opened on March 11, 1991 for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins for 1991-1993. Three (3) bids were received and their totals are as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Niagara Grass	\$6,800.00
L.D.C. Construction Company	\$8,345.00
B.D.R. Inc.	\$14,744.00

It is, therefore, recommended that the bid be awarded to Niagara Grass, 2601 Niagara Falls Boulevard, Niagara Falls, New York 14304 for their submission of the lowest bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA



Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

Item No. 6 Motion by Councilman Gabryszak, Councilman Blachowski

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

RESOLVED, that sealed bids will be received on April 11, 1991 at 11:00 A.M. Eastern Daylight Savings Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 11, 1991 at 11:00 A.M. Eastern Daylight Savings Time at Town Hall, corner of Broadway and Union Road for clothing for the Department of Youth and Recreational Services.

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 Department of Youth and Recreational Services 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

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk and Blachowski

NAYES: 0

ABSENT: Councilman Solecki and Rogowski

AFFIDAVIT - NEXT PAGE

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

.....Melanie Walf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 4, 1991.....;
last publication.....April 4, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Walf.....

Sworn to before me this4th.....

day ofApril....., 1991.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 11, 1991 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the clothing for the Department of Youth and Recreational Services.

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 Department of Youth and Recreational Services 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 and 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. Molecki
Town Clerk

PUBLISH: April 4, 1991

Item No. 7 Motion by Supervisor Swiatek, Seconded by Councilman Jaworowicz

WHEREAS, the Town and its consultant have received and evaluated two proposals for its various Property Insurance to be effective March 30, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the Property (Building and Contents, Contractors and Data Processing Equipment, Voting Machines, Valuable Papers and Auto Fire) Insurance be awarded to Clauss and Company and St. Paul Insurance Company for an annual cost of \$37,601, and BE IT FURTHER

RESOLVED, that the Boiler and Machinery insurance will remain with Clauss and Company and Hartford Steam Boiler and Inspection Company for an annual cost of \$3,060.

Upon Roll Call....

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

Item No. 8a Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga, on June 14, 1989, gave Mr. & Mrs. Glen Delano a Housing Rehabilitation Community Development Loan for property owned by them and located at 107 Princeton Court, Cheektowaga, New York, and

WHEREAS, Mr. & Mrs. Delano are now applying for a separate mortgage loan through Goldome Bank, and Goldome is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development Loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. & Mrs. Delano and the Town's Housing Rehabilitation Community Development loan for 107 Princeton Court, Cheektowaga, New York, and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

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

Item No. 8b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Cheektowaga Youth Bureau is desirous of seeking a grant by the New York State Office of Parks, Recreation and Historic Preservation to conduct the New York State Conservation Corps (NYSCC) Program for the summer of 1991, and

WHEREAS, a grant is being sought in the amount of \$21,727.43 towards the total cost of the project, BE IT

RESOLVED, that the Supervisor is authorized to sign the application and, if successful, the subsequent agreement between the Town of Cheektowaga and the New York State Office of Parks, Recreation and Historic Preservation.

Upon Roll Call....

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

MEETING NO. 7
April 1, 1991

Item No. 9 Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is Self-Insured for most municipal responsibilities including Workers Compensation benefits, and

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has proposed a list of its 1991 priorities for legislative correction of various deficiencies in the Workers Compensation Law, and

WHEREAS, the Town also wants the Workers Compensation and Unemployment Insurance laws amended to delete the excessive duplicate benefits to partially disabled employees, and

WHEREAS, the Town and its taxpayers will incur significant financial and legal burdens if the requested legislative relief is not adopted, NOW, THEREFORE, BE IT

RESOLVED, that this Board strongly endorses the enactment of the 1991 NYSASIC legislative priorities list and a provision deleting the availability of both Unemployment and Workers Compensation benefits to partially disabled employees, and BE IT FURTHER

RESOLVED, that the Town Clerk is directed to forward certified copies of this resolution to Governor Cuomo and our local members of the New York State Legislature.

* * * * *

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

* * * * *

Upon Roll Call....

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

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

WHEREAS, the New York State Thruway Authority ("NYSTA") is contemplating the addition of a fourth lane in each direction on the New York State Thruway in the vicinity of Interchanges 53 and 54 (the "Project"), and

WHEREAS, SEQRA requires that a lead agency be designated for the Project, and

WHEREAS, the NYSTA has requested the Town's consent to having the NYSTA designated as lead agency for the Project, and

WHEREAS, the Town's Environmental Advisory Committee has reviewed this request and has recommended that this Town Board consent to the NYSTA's request, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby consents to allow the NYSTA to be designated as lead agency for the Project, and BE IT FURTHER

RESOLVED, that the Town Building Inspector, as SEQRA Intake Officer, notify the NYSTA of this consent.

Upon Roll Call....

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

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

WHEREAS, Perfect Fit Glove Company has made application to the Town for a building permit to construct a manufacturing/warehouse building at 85 Innsbruck Drive in the Town, and

WHEREAS, the portion of Innsbruck Drive on which the proposed building would front has not yet been improved or accepted as a Town highway, and

WHEREAS, Section 13-13 of the Building Construction Administration Ordinance states that no building permit shall be issued unless a public highway, sanitary sewers and a waterline are in place, or, in lieu of such utilities being in place, the applicant must submit the following to the Town:

1. a surety bond in an amount fixed by the Town Board guaranteeing that the highway and sanitary sewer will be constructed within six (6) months after the issuance of the building permit and that all other provisions of Chapter 13 of the Town Code will be fully complied with;
2. satisfactory proof that a contract has been entered into with the Erie County Water Authority ("ECWA") for the construction of a waterline in the highway;
3. satisfactory proof that the Erie County Sewer District has approved lateral sewers in the area

and,

WHEREAS, this Town Board, at its November 19, 1990 meeting, approved Gardenville Industrial Park, Phase II, conditioned upon drainage easements being conveyed to the Town and execution of a Declaration of Easements and Agreements by the owners of the property, and such documents have been signed, and

WHEREAS, the owners of the property had heretofore submitted a performance bond in the amount of \$75,000.00 to guarantee construction of the extension of Innsbruck Drive and required utilities, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, based on authority found in Section 13-13.B. of the Building Construction Administration Ordinance, approves the issuance of a building permit to Perfect Fit Glove Company for the construction of a manufacturing/warehouse building at 85 Innsbruck Drive, conditioned on the following:

1. Proof of filing of the following referenced documents in the Erie County Clerk's Office:
 - a. drainage easements as approved by the Town Engineer and Town Attorney
 - b. Declaration of Easements and Agreements, as approved by the Town Engineer and Town Attorney
2. Proof of agreement with the Erie County Water Authority for the installation of waterlines;
3. Approval of drainage and site plans by the Town Engineer;
4. Proof of adequate sanitary sewer lines or approval of new lines by the Erie County Sewer District;
5. Approval of plans by the Town Building Inspector;
6. Applicant must contact the U.S. Army Corps of Engineers to ensure compliance with any applicable wetlands regulations.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk and Blachowski

NAYES: 0

ABSENT: Councilman Solecki and Rogowski

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

WHEREAS, by decisions dated June 21, 1990 and August 15, 1990, the Zoning Board of Appeals denied the application of Thomas C. Aquilino, d/b/a Suburban Trading Co., to sell used automobiles outdoors on premises located at 2500 Walden Avenue, and

Item No. 12 continued

WHEREAS, on September 19, 1990, the Town of Cheektowaga was served with a Notice of Petition and Petition in a Special Proceeding entitled "In the Matter of the Application of Thomas C. Aquilino Doing Business as Suburban Trading Co., Petitioner vs Zoning Board of Appeals of the Town of Cheektowaga and Building Inspector of the Town of Cheektowaga, Respondents"; which Special Proceeding called for annulling the aforesaid Zoning Board decision and other relief, and

WHEREAS, the Hon. Penny M. Wolfgang, Justice of the Supreme Court, issued a decision and signed a Judgment on February 1, 1991, upholding the actions of the Zoning Board and the Building Inspector, and

WHEREAS, the Petitioner has appealed the decision and Judgment of the Hon. Penny M. Wolfgang, NOW, THEREFORE, BE IT

RESOLVED, that Peter M. Kooshoian, attorney at law, Street, Buffalo, New York, who the Town Attorney advises has experience and specialized knowledge in appellate matters, be and hereby is retained to represent the interests of the Town and Zoning Board of Appeals in the above referenced matter, and BE IT FURTHER

RESOLVED, that Mr. Kooshoian be paid reasonable fees in an amount not to exceed \$4,000.00 without further Town Board approval, plus court costs and expenses, from budget line item number 0100-1420-4000-4501.

Upon Roll Call....

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

Item No. 13 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, by Town Board resolution, School Crossing Guards in the Tier 1 Retirement System were allowed to retire on the stipulation that they be afforded the option to immediately be rehired, AND

WHEREAS, under Section 212 of the New York State and Local Retirement System, this action is allowed provided the rehired employee does not make over \$9,360 annually, NOW, THEREFORE, BE IT

RESOLVED, that the following School Crossing Guards be and hereby are rehired, effective immediately:

Irene Fabozzi
Joan Cyrankowski

Upon Roll Call....

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

Item No. 14 Hiring of Seasonal Employees in Various Departments.
This item has been withdrawn.

Item No. 15 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, due to an illness, a temporary vacancy exists in the position of Senior Clerk in the Assessor's Office, AND

WHEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, AND

Item No. 15 continued

WHEREAS, Nancy Scarafia, currently employed as a Clerk-Typist in the Assessor's Office, bid on said position and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Nancy Scarafia be and hereby is appointed to the temporary vacancy of Senior Clerk in the Assessor's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately, AND, BE IT FURTHER

RESOLVED, that said appointment shall not exceed a period of ninety (90) days.

Upon Roll Call....

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

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

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

HIGHWAY

FROM: 0300-5110-4173 (General Highway Imput Stone) \$ 6,500.00
TO: 0300-5140-4291 (Shade Trees) 6,500.00

CDBG - HUD FUND

FROM: 0700-8655-5770 (Sloan Demo) 15,080.00
0700-8655-5770 (Sloan Demo) 1,300.51
0700-8640-7722 (Depew Water Lines) 55,445.00
0700-8640-5722 (Depew Water Lines) 3,929.79
0700-8680-9778 (Depew Census Study) 1,890.00
0700-8640-9722 (Depew Water Lines) 11,674.92
TO: 0700-8630-5701 (Sloan Sanitary Sewer Study) 15,080.00
0700-8630-5715 (Sloan Sidewalks) 1,300.51
0700-8650-7778 (Depew Gazebo Project) 55,445.00
0700-8650-5778 (Depew Gazebo Project) 3,929.79
0700-8650-9778 (Depew Gazebo Project) 1,890.00
0700-8650-9778 (Depew Gazebo Project) 11,674.92

Upon Roll Call....

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

Item No. 17 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to April 1, 1991 are hereby approved and made a part hereof:

GENERAL FUND	\$140,396.92
HIGHWAY FUND	39,600.17
TRUST & AGENCY	1,408.22
CDBG HUD FUND	52,772.22
PART TOWN FUND	1,227.05
RISK RETENTION FUND	46,353.02
HUD REHABILITATION	2,662.99
SPECIAL DISTRICTS	142,033.50
CAPITAL FUND	<u>67,824.87</u>
TOTAL	\$494,278.96

Item No. 17 continued

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Building Permits.
Received and Filed.

Item No. 19a Minutes of Cheektowaga Public Library Board/February 1991.
Received and Filed.

Item No. 19b Minutes of Traffic Safety Commission/March 1991.
Received and Filed.

IV. GENERAL COMMUNICATION

Item No. 20a Notice of Claim: Jerome J. Klein vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Department and Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 20b Notice of Claim: Wendy DeWald vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Chris Kowal, Highway Department and Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 20c Notice of Claim: Michelle L. Fix vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department and Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 20d Notice of Claim: Karen J. Dreshler vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sewer Maintenance Department and Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 21 Petition Regarding Rezoning of 100 Warsaw Avenue.
Received and Filed.

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN GABRYSZAK TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

V. SUSPENSION OF RULES

Item No. 22 Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, Workers Compensation coverage for the Jobs Training Partnership Act employees is not available from insurers providing other insurance to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the renewal for Workers Compensation insurance for the Jobs Training Partnership Act will remain with the State Insurance Fund as of April 1, 1991, however a 40% surcharge will be added because of loss experience resulting in an estimated renewal cost of \$6,700.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk and Blachowski

NAYES: 0

ABSENT: Councilman Solecki and Rogowski

Item No. 23 Motion by Supervisor Swiatek, Seconded by Councilman Kulyk to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of April, 1991 at 7:30 o'clock P.M., Eastern Daylight Saving Time there were:

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

Also present were: Richard M. Moleski, Town Clerk; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; Bruce Chamberlin, Chief of Police; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Pat Staniszek, Youth and Recreation Coordinator; Greg Joos, Employee Relations Coordinator; Donald J. Wegner, Zoning Inspector; Leonard Szymanski, Facilities Foreman; and William Street Taxpayers.

I. FROM THE TABLE

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

WHEREAS, Mary M. Angelo has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by P. Marrano Trust and located at 792 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 18th day of March, 1991 at 7:00 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of Mary M. Angelo 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 approved, 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 Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
Rogowski and Blachowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....April 18, 1991.....;
last publication.....April 18, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this18th.....

day ofApril....., 1991.....

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of April, 1991 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

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

ABSENT: 0

Motion by Councilman Kulyk and Seconded by Councilman Jaworowicz

WHEREAS, Mary M. Angelo has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by P. Marrano Trust and located at 792 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 18th day of March, 1991 at 7:00 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof, and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of Mary M. Angelo 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 approved, and **BE IT FURTHER**

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

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 55, Township 10, Range 7 of the Buffalo Creek Reservation described as follows:

Beginning at a point in the center line of Losson Road distant one hundred three and twenty hundredths (103.20) feet west of the east line of Lot No. 55, begin also the southwest corner of lands conveyed to the Town of Cheektowaga by deed recorded in Erie County Clerk's Office in liber 10146 of Deeds page 696; thence northerly and along the said westerly line of lands so conveyed to the Town of Cheektowaga two hundred ninety-nine and thirty-three hundredths (299.33) feet to a point on the south line of lands conveyed to the Town of Cheektowaga by deed recorded in said Clerk's Office in liber 7519 of Deeds page 137; thence westerly and along the southerly line of the Town of Cheektowaga by deed aforesaid to the northeast corner of lands conveyed to Lucette Napieralski by deed recorded in said Clerk's Office in liber 10130 of Deeds page 41; thence southerly parallel to the east line of Lot No. 55 and along the said east line of Lucette Napieralski a distance of two hundred ninety-nine and seventy-one hundredths (299.71) feet to the center line of Losson Road; thence easterly and along the center line of Losson Road a distance of one hundred two (102) feet to the point of beginning.

Upon roll call.....

Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE

Councilman Jaworowicz Voting AYE

Councilman Gabryszak Voting NAYE

Councilman Kulyk Voting AYE

Councilman Rogowski Voting AYE

Councilman Solecki Voting NAYE

AYES: 5

NAYES: 2

ABSENT: 0

STATE OF NEW YORK

COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 15, 1991, and minutes of said meetings have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item No. 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 15th day of April, 1991.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 18, 1991

Item No. 3 Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is Self-Insured for most municipal responsibilities including Workers Compensation benefits, and

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has proposed a list of its 1991 priorities for legislative correction of various deficiencies in the Workers Compensation Law, and

WHEREAS, the Town also wants the Workers Compensation and Unemployment Insurance laws amended to delete the excessive duplicate benefits to partially disabled employees, and

WHEREAS, the Town and its taxpayers will incur significant financial and legal burdens if the requested legislative relief is not adopted, NOW, THEREFORE, BE IT

RESOLVED, that this Board strongly endorses the enactment of the 1991 NYSASIC legislative priorities list and a provision deleting the availability of both Unemployment and Workers Compensation benefits to partially disabled employees, and BE IT FURTHER

RESOLVED, that the Town Clerk is directed to forward certified copies of this resolution to Governor Cuomo and our local members of the New York State Legislature.

THE ABOVE RESOLUTION WAS WITHDRAWN

II. RESOLUTIONS

Item No. 4a Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, Henry J. Kowalski has made application and requested the Rezoning from R-Residential District to RA-Apartment District for property located at 1314 Como Park Blvd., NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 6, 1991 at 6:30 P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., 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 18, 1991..... ;
last publication..... April 18, 1991..... ;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this 18th

day of April, 1991.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

STATE
COUNTY
TOWN

LEGAL NOTICE
NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 6th day of MAY, 1991 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of HENRY KOWALSKI/ THEODORE KULBACKI to Rezone from R-RESIDENCE District to RA-APARTMENT District on property located at 1314 COMO PARK BLVD. and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

A lot being approximately 120'x645' located approximately 443' West of Borden Road-Cheektowaga, New York. There are multiple easements on this property 12' drainage easement on East and West side of premises. A 15' water main easement on West side of property making the total easement width of 30' on West side of property.

BY ORDER OF THE TOWN BOARD

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz

Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Soleccki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk
PUBLISH: April 18, 1991

MEETING NO. 8
April 15, 1991

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

WHEREAS, John Lorek has made application and requested the Rezoning from R-Residential District to RC-Restricted Business District for property located at 501 Losson Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 6, 1991 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., 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
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tween publications.

.....Melanie Wolf.....

Sworn to before me this18th.....
day ofApril....., 1991.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

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

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 56,

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

BEGINNING, at the intersection of the west line of lot number fifty-six (56) with the southerly line of Losson Road thence south along said west line of lot number fifty-six (56), 290 2/5 feet; thence east parallel with said south line of Losson Road 75 feet thence north parallel with the first mentioned boundary 290 2/5 feet to said south line of Losson Road and thence west along said south line of Losson Road 75 feet to the place of beginning, containing one-half (1/2) acre of land, with the exception of that parcel of land beginning at a point on the existing center line of Losson Road, C.R. No. 21 at the intersection of said center line with the division line between the property of John J. and Helen L. Lorek (reputed owners) on the east and the property of Universal Marion Corporation and L. E. Wolfson (reputed owners) on the west, said point being 6.95 +/- feet distant northerly measured at right angles from Station 45+56.30 +/- of the hereinafter described new center line for the reconstruction of Losson Road, C.R. No. 21; thence easterly along said existing center line 75.00 +/- feet to a point at the intersection of said center line with the division line between the property of John J. and Helen L. Lorek (reputed owners) on the west and the property of William P. Blake and Gus Dotterweich (reputed owners) on the east, said point being 6.44 +/- feet distant northerly measured at right angles from Station 46+32.30 +/- of said new center line; thence southerly along the last mentioned division line 44.70 +/- feet to a point; thence westerly through the property of John J. and Helen L. Lorek (reputed owners) 74.96 +/- feet to a point on the first mentioned division line; thence northerly along said first mentioned division line 46.97 +/- feet to the point of beginning, being 3440 +/- square feet or 0.079 acre more or less gross area and 960 +/- square feet or 0.022 acre more or less net area.

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 18, 1991

MEETING NO. 8
April 15, 1991

Item No. 4c Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Robert D. Alonzo/Benderson Development Company has made application and requested the Rezoning from M1-Light Manufacturing District to CM-General Commercial District and a Special Use Permit for automotive retail, including a muffler shop for property located at 2150-2190 Walden Avenue, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 6, 1991 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
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towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
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first publication.....April 18, 1991.....;
last publication.....April 18, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this18th.....

day ofApril....., 1991.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 6th day of MAY, 1991 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of BENDERSON DEV. CO./ROBERT ALONZO to Rezone from M1-LIGHT MANUFACTURING District to CM-GENERAL COMMERCIAL District on property located at 2150-2190 WALDEN AVENUE and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 18, 1991

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

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

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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 6th day of MAY, 1991 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of BENDERSON DEV. CO./ROBERT ALONZO for a Special Permit to operate automotive retail/muffler shop on property located at 2150-2190 WALDEN AVENUE pursuant to Article VI and Section 82-33 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

LEGAL DESCRIPTION

All that tract or parcel of land, situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 16, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

Commencing at a point at the intersection of the northerly line of Walden Avenue with the westerly line of Union Road, thence westerly along the northerly line of Walden Avenue a distance of three hundred eighteen and forty-eight hundredths (318.48) feet to a point, thence northwesterly along the northerly line of Walden Avenue a distance of four hundred six and thirty-eight hundredths (406.38) feet to the

true point or place of beginning; thence northwesterly along the northerly line of Walden Avenue sixty-seven and fifty-eight hundredths (67.58) feet to an angle in said line of Walden Avenue, thence continuing northwesterly along the northerly line of Walden Avenue a distance of ninety-one and ten hundredths (91.10) feet to the southeasterly line of lands of the Central School District Number 1 of the Town of Cheektowaga, New York, by deed recorded in the Erie County Clerk's Office in Liber 6278 of Deeds at Page 677 and Liber 6283 of Deeds at Page 3; thence northeasterly along the southeasterly line of said lands conveyed to said School District a distance of three hundred forty-four and eighty-four hundredths (344.84) feet to a point; thence easterly on a line parallel to the north line of Lot Number 16 a distance of one hundred fifty-five and four hundredths feet (155.04) to a point, thence South 45 degrees 40' 23" West a distance of two hundred forty and ninety-five hundredths (240.95) feet to a point, thence South 00 degrees 57' 43" West a distance of fifty and one hundredth (50.01) feet to a point, 115 feet northeasterly from the point of beginning, as measured along a line drawn through the point of beginning parallel with the southeasterly line of lands conveyed to the Central School District NO. 1 of the Town of Cheektowaga, New York, as aforesaid; running thence southeasterly parallel with the southeasterly line of lands conveyed to said School District one hundred fifteen (115) feet to the point or place of beginning.

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 18, 1991

MEETING NO. 8
April 15, 1991

Item No. 4d Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Property Developer, Inc./Frank L. Marks, Sr. has made application and requested a Special Use Permit for storage, parking, used car sales, minor automobile repairs ancillary to used car sales for property located at 2009 William Street, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 6, 1991 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
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weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
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tween publications.

Melanie Wolf

Sworn to before me this18th.....

day ofApril....., 1991...

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 6th day of MAY, 1991 at 6:30 o'clock, P.M., Eastern DAYLIGHT SAVINGS Time of said day for the purpose of considering the application of PROPERTY DEV. INC./FRANK L. MARKS, SR. for a Special Permit to operate used car sales, minor automobile repairs, storage & parking on property located at 2009 WILLIAM STREET pursuant to Article VI and Section 82-33 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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 One (1), Two (2), Three (3) and Four (4), in Block "B", as shown on a subdivision map of "Strasmer Addition", made by Ellsworth Bros., surveyors and filed in Erie County Clerk's Office under Cover No. 838, except part appropriated by notice of appropriation recorded in Erie County Clerk's Office in Liber 2324 of Deeds at page 249, and excepting part known as Lot Number Five (5) in Block "B".

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: April 18, 1991

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

WHEREAS, bids were duly received on April 8, 1991 as the result of advertisement, therefore, for the furnishing of traffic control signs, street name signs and brackets for the 1991 calendar year, said bids were referred to the Town Engineer for analysis, tabulation and report, which said report is hereto attached and contained in a letter to the Town Board dated April 8, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of traffic control signs, street name signs and brackets for the 1991 calendar year, per said unit prices, be awarded to the following:

CHEMUNG SUPPLY CORPORATION
P. O. BOX 527
ELMIRA, NEW YORK 14902
(607) 733-5506

ITEM 1 - Square and Diamond Signs - Finished

CLASS A

18" X 18"	\$ 5.98
24" X 24"	10.63
30" X 30"	16.62
36" X 36"	23.93
48" X 48"	42.54

ITEM 2 - Octagon Signs - Finished

CLASS A

30" X 30"	\$14.64
36" X 36"	23.93

ITEM 3 - Rectangle Signs - Finished

CLASS A

12" X 18"	\$ 3.99
18" X 24"	7.98
18" X 30"	9.97
24" X 30"	13.29
24" X 36"	15.94
24" X 48"	21.27
30" X 36"	19.94
36" X 12"	7.98
36" X 48"	31.91

ITEM 4 - Traffic Signs - Finished

CLASS A

36"	\$10.34
48"	18.43

ITEM 5 - Street Name Signs - Finished

CLASS A

12" X 6"	\$ 2.59
18" X 6"	3.89
24" X 8"	6.92
30" X 8"	8.64
36" X 8"	10.39
42" X 8"	12.11
48" X 8"	13.84

Item No. 5 continued

ITEM 6 - Street Sign Brackets

CLASS A

2" Round Post - Ext/Flat
2" Square Post - Ext/Flat

\$ 6.57
6.63

* SEE ATTACHED REPORT

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Chester L. Bryan, P.E.
Town Engineer

April 8, 1991



TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control
Signs, Street Name Signs
and Brackets

Gentlemen:

On April 8, 1991 bids were received and publicly opened for the purchase of traffic control signs, street name signs and brackets for the Town of Cheektowaga for the 1991 calendar year. Five (5) bidders submitted bids which are as follows:

<u>BIDDER</u>	<u>CLASS A</u>	<u>CLASS B</u>
Chemung Supply Corporation	\$ 9,272.25	\$19,679.25
* Tri-State Displays Company	10,590.00	22,591.00
Safe-T-Sign, Inc.	11,493.75	20,335.75
Eastern Metal of Elmira, Inc.	12,642.50	23,628.75
ADC/Athletic Die Company	No Bid	No Bid

*Bid received but not opened at bid opening, opened later by Town Clerk (see attached letter)

It is, therefore, recommended that the bid be awarded to Chemung Supply Corporation for Class A only, said bid being the lowest bid meeting the requirements of our specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

CC: Sgt. Nacke

Item No. 6a Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the Reconstruction of McNaughton Avenue in the Town of Cheektowaga, AND

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE,
BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Reconstruction of McNaughton Avenue, said notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received until May 10, 1991, at 11:00 A.M., Eastern Daylight Saving Time, at which time they will be opened at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of Cheektowaga on May 10th, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for furnishing all labor, materials, tools, equipment and incidentals required for the Reconstruction of McNaughton Avenue, located in the Town of Cheektowaga.

Information to bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall from April 25, 1991 to May 10, 1991, upon payment of \$100.00 per set of documents. Deposits should be made in the form of two (2) \$50.00 checks made payable to the Town of Cheektowaga, NY.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York.

The work shall be completed within 150 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

RICHARD M. MOLESKI, TOWN CLERK

DATED: April 15, 1991

PUBLISHED: April 18, 1991

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
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weekly in said town; that the notice, of which
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.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Scaled proposals will be received and considered by the Town Board of Cheektowaga on May 10th, 1991 at 11:00 A.M. Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for furnishing all labor, materials, tools, equipment and incidentals required for the Reconstruction of McNaughton Avenue, located in the Town of Cheektowaga.

Information to bidders and specifications may be obtained from the Town Clerk at his office in said Town Hall from April 25, 1991 to May 10, 1991, upon payment of \$100.00 per set of documents. Deposits should be made in the form of two (2) \$50.00 checks made payable to the Town of Cheektowaga NY.

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York.

The work shall be completed within 150 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

Richard M. Moleski, Town Clerk

Dated: April 15, 1991

PUBLISH: April 18, 1991

MEETING NO. 8
April 15, 1991

Item No. 6b Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1991 calendar year, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of corrugated metal pipe and reinforced concrete pipe, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 29th day of April, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on April 29, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1991 calendar year.

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

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

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

RICHARD M. MOLESKI, TOWN CLERK

DATED: April 15, 1991

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....April 18, 1991.....;
last publication.....April 18, 1991.....;
and that no more than six days intervned be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this18th.....

day ofApril....., 1991.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on April 29, 1991 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the 1991 calendar year.

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

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

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

Richard M. Moleski
Town Clerk

DATED: April 15, 1991

PUBLISH: April 18, 1991

Item No. 7a Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga, on August 22, 1985, gave Mr. & Mrs. Kevin Fischer a Housing Rehabilitation Community Development Loan for property owned by them and located at Cheektowaga, New York, and

WHEREAS, Mr. & Mrs. Fischer are now applying for a separate mortgage loan through First Union Home Equity Corporation, and First Union is requesting the Town to execute a Subordination Agreement relating to the Town's Community Development Loan, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement relating to Mr. & Mrs. Fischer and the Town's Housing Rehabilitation Community Development loan for 50 Olcott Place, Cheektowaga, New York, and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

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

Item No. 7b Motion by Councilman Kulyk Seconded by Councilman Blachowski

BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign, on behalf of the Town of Cheektowaga, the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

* SEE NEXT PAGE FOR AGREEMENT

Upon Roll Call....

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

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

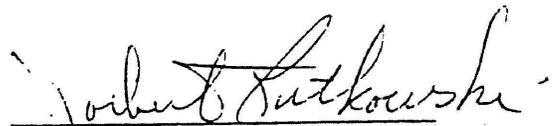
To correct a typographical error in the Memorandum of Agreement extending the collective bargaining agreement through the years 1991 and 1992, the parties agree to the following.

Referring to Section 24.04(c), safety shoe allowance will be paid at \$100.00 for the year 1991 and reduced to \$75.00 for the year 1992.

The previous Memorandum of Agreement erroneously implied that the amount was to be \$100.00 for both years.



TOWN OF CHEEKTOWAGA



TOWN OF CHEEKTOWAGA
EMPLOYEES ASSOCIATION

Dated:

MEETING NO. 8
April 15, 1991

Item No. 7c Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, on April 3, 1988, an accident occurred between a vehicle driven by Henry E. Lohr and a Cheektowaga Police car, and

WHEREAS, as a result of such accident, Henry E. Lohr initiated a lawsuit against the Town and the Town Police Department ("Henry E. Lohr and Bernice Lohr vs Town of Cheektowaga and Town of Cheektowaga Police Department"), and

WHEREAS, the law firm representing the Town's self-insured liability program has recommended that this case be settled by the Town for \$5,000.00 in nuisance to avoid further defense costs, and

WHEREAS, the Chief of Police has no objection to this settlement,
NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached General Release, and BE IT FURTHER

RESOLVED, that the \$5,000.00 settlement amount shall be appropriated from the Risk Retention Fund.

* SEE ATTACHED RELEASE

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

GENERAL RELEASE

KNOW YE, that

THE TOWN OF CHEEKTOWAGA and

THE TOWN OF CHEEKTOWAGA POLICE DEPARTMENT

for and in consideration of the sum of
One or More Dollars (\$1.00) lawful money of the United States
of America to them in hand paid by

HENRY LOHR,

the receipt of which is hereby acknowledged, have remised,
released and forever discharged and by these presents does for
his heirs executors and administrators, remise, release and
forever discharge the said HENRY LOHR, his successors and
assigns, heirs, executors and administrators, of and from all,
and all manner of action and actions, cause and causes of
action, suits, debts, dues, sums of money, accounts, reckoning,
bonds, bills, specialties, covenants, contracts, controversies,
agreements, promises, variances, trespasses, damages, judgments,
extents, executions, claims and demands whatsoever, in law or in
equity, which against the said HENRY LORH,

THE TOWN OF CHEEKTOWAGA and THE TOWN OF
CHEEKTOWAGA POLICE DEPARTMENT, ever had, now has or which their
heirs, executors or administrators hereafter can, shall or may
have for, upon or by reason of any matter, cause or thing
whosoever from the beginning of the world to the date of the
date of these presents.

IN WITNESS WHEREOF I have hereunto set my hand and seal
the 16th day of April in the year Nineteen Hundred and
Ninety-One.

X Bruce D. Chamberlin {L.S.}
THE TOWN OF CHEEKTOWAGA
POLICE DEPARTMENT

X Frank E. Swiatek {L.S.}
TOWN OF CHEEKTOWAGA

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO)

On this 16th day of April, 1991, before me
personally appeared, Frank E. Swiatek & Bruce D. Chamberlin, to me known,
and known to me to be representatives of the Town of Cheektowaga
Police Department and the Town of Cheektowaga described in and
who executed the within instrument and they acknowledged to me
that they executed the same.

Kevin G. Schenk
Notary Public

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 19 93

MEETING NO. 8
April 15, 1991

Item No. 7d Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga is eligible to receive approximately \$700,000 in Community Development Block Grant Funds for the 1991-92 Program Year, and

WHEREAS, a public hearing regarding the use of said funds was held on March 4, 1991, 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 a Program Statement for Community Development Block Grant Funds totaling \$700,000 for the 1991-92 Program Year, said Statement incorporating the attached project allocations of Community Development Block Grant Funds, and BE IT

FURTHER RESOLVED, that the Supervisor is authorized to execute any necessary and related documents in conjunction with said Community Development Block Grant Program Statement.

* SEE NEXT PAGE

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

TOWN OF CHEEKTOWAGA
 Community Development Block Grant Program
 1991-92 Program Year

Administration	\$ 110,000
Village of Depew Projects	76,650
- Sanitary Sewer Project - \$61,650	
- Housing Rehabilitation - \$15,000	
Village of Sloan Projects	28,700
- Sidewalk Repairs - \$14,000	
- Housing Rehabilitation - \$ 6,000	
- Sanitary Sewer Project - \$ 8,700	
Code Enforcement/Housing Inspections	25,000
Housing Rehabilitation - Town	103,300
Economic Development Activities	120,000
Neighborhood Community Development - Walden Ave	138,000
Supplemental Services	14,600
- Supportive Services Corp (5600)	
- Housing Assistance Center (9000)	
Planning Services	28,000
Cedargrove Heights Drainage	50,000
Contingency	5,750
TOTAL	\$ 700,000

MEETING NO. 8
April 15, 1991

Item No. 8 Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, by resolution dated September 4, 1990, this Town Board approved the concept of Wegmans Food Markets, Inc. (the "Applicant") for the proposed construction of a retail area (the "Project") on a parcel of land located at 2001 Walden Avenue, and

WHEREAS, such approval included a commitment by the Applicant to reconstruct Duke Road from Walden Avenue to Old Duke Road at Buffalo Forge ("Duke Road reconstruction"), in accordance with Town specifications, and

WHEREAS, by resolution dated December 17, 1990, this Town Board approved the Applicant's Public Improvement Permit for the Duke Road reconstruction, subject to minor modifications being made to the design of the Duke Road/Old Duke Road intersection and to the storm drainage system, and

WHEREAS, the Town Engineering and Highway Departments have reviewed the revised plans for the Duke Road reconstruction and, pursuant to the attached letter, have recommended that such revised plans be approved, NOW, THEREFORE, BE IT

RESOLVED, that the revised plans for the Duke Road reconstruction by the Applicant be and hereby are approved, as per the attached letter dated April 11, 1991 from the Town Superintendent of Highways.

* SEE NEXT PAGE

Upon Roll Call....

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

Highway Department

3145 Union Road
Cheektowaga, NY 14227-1083
716/686-3450
Mobile: 716/863-5867

Christopher J. Kowal
Superintendent of Highways

RECEIVED

1991 APR 12 PM 2: 19

CHEEKTOWAGA

TOWN CLERK

April 11, 1991

Growing In A New Direction



Honorable Supervisor, Frank Swiatek
and Honorable Town Board
Cheektowaga, NY 14227

Re: Approval of Plans for the
Reconstruction of part of
Duke Road

Dear Honorable Board Members:

Mr. C. L. Bryan, Town Engineer; T. R. Skowron, Highway Engineer;
R. Marten, Building Inspector and I have reviewed the plans for the
reconstruction of Duke Road, from Walden Avenue to the Buffalo Forge
Driveway. These plans are found to be in conformance with the cur-
rent specifications of the Town of Cheektowaga, including:

1. Approved pipe and appurtenances for storm sewer construction
- design data submitted and approved.
2. Road construction will conform to current Highway specs as
shown on plans.
3. Plans have passed S.E.Q.R. requirements.
4. Plans being reviewed by NYS DOT and NYS Thruway prior to road
acceptance. The essential storm sewer and road easements
must be recorded and filed, and the P.I.P. must be secured.

With all requirements being met, I recommend the approval of the
construction plans for the reconstruction of Duke Road by Wegmans, as
ashown on plans filed with the Town of Cheektowaga.

Very truly yours,

CHEEKTOWAGA HIGHWAY DEPARTMENT

Christopher J. Kowal

nms:CJK

cc: Town Clerk ✓
Town Engineer
Town Attorney
Bldg. Inspector
Hwy. Engineer

Item No. 9 Motion by Supervisor Swiatek Seconded by Councilman Blachowski

WHEREAS, on September 15, 1989, St. Joseph Intercommunity Hospital, Inc. submitted a Full Environmental Assessment Form to the Town of Cheektowaga with respect to its proposal to construct certain additions and alterations to St. Joseph Hospital and to construct a long-term health care facility and support housing on such property located at 2605 Harlem Road, Cheektowaga, New York ("Project"), and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga", reviewed the Project and rendered a determination that (i) the Project will not have a significant effect on the environment, as such terms are defined in the New York State Environmental Quality Review Act ("SEQR"), and (ii) no environmental impact statement was required, and

WHEREAS, the Town Board of Cheektowaga concurred with said determination, which constituted a negative declaration for purposes of SEQR, and

WHEREAS, St. Joseph Hospital now wishes to institute Phase I of such Project for additions to and alterations of the hospital, NOW, THEREFORE, BE IT

RESOLVED, that, based upon the determination by the Town Environmental Advisory Committee in connection with the Project and Phase I of the Project, this Town Board hereby confirms its earlier finding that:

- (i) the construction, equipping and operation of the Project will not have a significant effect on the environment, as such terms are defined in SEQR, and
- (ii) no environmental impact statement, as such term is defined in SEQR, will be required.

and, BE IT FURTHER

RESOLVED, that this determination constitutes a negative declaration for purposes of SEQR.

Upon Roll Call....

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

Item No. 10 Motion by Councilman Kulyk Seconded by Councilman Gabryszak

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezonings, special permits, etc. and renders its determination of environmental significance of such applications, and

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

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

WHEREAS, the Advisory Committee, at its meeting held on April 4, 1991, rendered the determinations shown on the attached memo dated April 5, 1991, and

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

RESOLVED, that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the April 5, 1991 memo attached hereto:

Item No. 10 continued

Item II

K-Mart, French and Transit

*SEE NEXT PAGE

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 11 Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town administers a housing rehabilitation program for eligible Town homeowners to make necessary repairs to their homes, and

WHEREAS, the Town has previously established loan limits of up to \$25,000 for said housing rehabilitation loans, and

WHEREAS, the Community Development Director has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 2279 Broadway in an amount not to exceed \$35,000, due to the extent of the work required to bring the property into compliance with applicable Town codes, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes a housing rehabilitation loan in the amount not to exceed \$35,000 to the owner of 2279 Broadway, Cheektowaga, New York, and authorizes the Supervisor to execute loan and any other necessary related documents with said property owner.

Upon Roll Call....

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

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

BE IT RESOLVED, that the Niagara Mohawk Power Corporation is hereby authorized to implement a conversion program replacing a total of ninety-one (91) 175 watt mercury vapor luminaires (8600 lumen) with 100 watt high pressure sodium luminaires (9500 lumen) located on Alexander Avenue, Doat Street, Gualbert Avenue, Haller Avenue, Hoerner Avenue, Randolph Avenue, Wildy Street and Woodell Avenue in accordance with the attached Niagara Mohawk Power Corporation proposal dated March 20, 1991, resulting in an annual decrease to the General Lighting District of \$751.36.

* SEE ATTACHED PROPOSAL

Upon Roll Call....

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



NIAGARA MOHAWK POWER CORPORATION/535 WASHINGTON STREET, BUFFALO, N.Y. 14203/TELEPHONE (716)832-2400

March 20, 1991

Mr. William Pugh
Town of Cheektowaga Engineering
275 Alexander Street
Cheektowaga, NY 14225

Dear Bill:

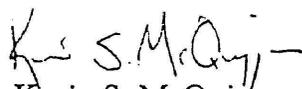
Thank you for the opportunity to provide the Town of Cheektowaga with a street light conversion proposal. The eight (8) streets initially designated for conversion are Alexander, Doat, Gualbert, Haller, Hoerner, Randolph, Wildy and Woodell.

There will be 91 street lights affected by this proposal. There will be no cost for the conversion. The Town can expect to save 6 percent a year on street lighting for this area while increasing the light levels (lumens) by 10 percent. Actual savings will depend on many factors, including conservation measures implemented, season variations in fuel price and weather.

Implementation of this street light conversion will begin upon the Town's written acceptance of this proposal and an updated street light agreement. The conversion can be completed within an approximate six-month period.

I will contact you the week of April 1 to discuss this proposal. If you require assistance prior to then, please call me with any questions at 857-4036.

Sincerely yours,


Kevin S. McQuiggan
Consumer Representative

KSM/blm
d2:chktconv.pro

TABLE OF CONTENTS

Executive Summary	Section I
Technical Analysis	Section II
Economical Analysis	Section III
Next Steps	Section IV

Executive Summary

The purpose of this proposal is to provide the information needed to approve a conversion of street light facilities. Mr. William Rogowski and Mr. William Pugh assisted in the preparation of this proposal. Their cooperation and acknowledgement of the benefits of a street light conversion is greatly appreciated.

The Town of Cheektowaga can expect to receive these benefits by converting the existing street lights from 175 watt mercury vapor to 100 watt high pressure sodium.

- * 6 percent Savings on Street Light Costs

- * 10 percent Increase in Street Light Levels

- * No Cost for the Street Light Conversion

The initial area proposed for street light conversion is north of Walden Avenue to Wildy from the City line to Woodell. the street lights in this area will be converted within an approximate six (6)-month period upon the Town's written acceptance of this proposal.

Technical Analysis

Project: Street light conversion of 175 watt mercury vapor (MV) to 100 watt high pressure sodium (HPS) on 91 Cobra head standard enclosed luminaires (SEL)

Location: Alexander, Doat, Gualbert, Haller, Hoerner, Randolph, Wildy and Woodell

Lumen Levels

A lumen is the unit by which light output is measured.

175 watt MV = 8,600 Lumens

100 watt HPS = 9,500 Lumens

Formula: No. of proposed SEL x No. of Lumens = Total Lumens
- No. of existing SEL x No. of Lumens = Total Lumens
= NetLumenIncrease

Type of SEL	No. of SEL	Lumens/SEL	Total Lumens
100 HPS prop.	91	9,500	864,500
175 MV exist.	91	8,600	782,600
Net Lumen Increase			81,900

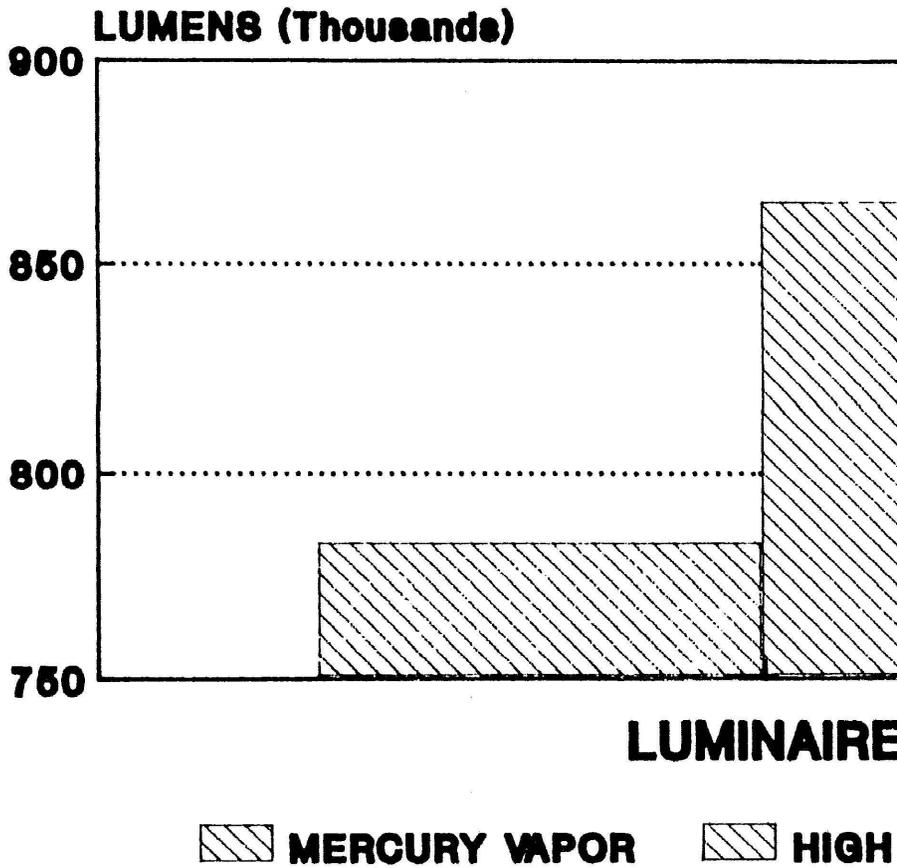
Lumen Increase

Formula: $\frac{\text{Net Lumen Increase}}{\text{Total Existing Lumens}} = \text{Percentage of Lumen Increase}$

$\frac{81,900 \text{ Net Lumen Increase}}{782,600 \text{ Lumens}} = 10.4\%$

TECHNICAL A

MERCURY VAPOR / HIGH P



• LUMENS (LIGHT OUTPUT)

Power Demand

Kilowatt (KW) Reduction

Formula: [(existing lamp wattage + ballast wattage) x No. of SEL] + 1,000 = Total Existing KW
- [(proposed lamp wattage + ballast wattage) x No. of SEL] + 1,000 = Total Proposed KW
= KW Net Savings

$$\begin{aligned} & [(175 + 33) \times 91] + 1,000 = 18.93 \text{ KW} \\ - & [(100 + 17) \times 91] + 1,000 = \underline{10.65 \text{ KW}} \\ & = 8.28 \text{ Reduction} \end{aligned}$$

Kilowatt Hour (KWH) Reduction

Annual Burn Hours = 4,170 (P.S.C. 213, S.C. 2, Leaf 12)

Formula: KW net savings x annual burn hours = KWH Saving

$$8.28 \times 4,170 = 34,528 \text{ KWH Reduced}$$

Economic Analysis

Proposed Annual Savings

Formula: Existing # of SEL x (energy cost+lamp maint+luminaire maint) = Total Cost Existing SEL
- Proposed # of SEL x (energy cost+lamp maint+ luminaire maint) = Total Cost Proposed SEL
= Annual Savings Proposed

$$91 \times (49.05 + 22.51 + 56.75) = \$11,676.21 + .9568^* = \$12,203.40$$
$$- 91 \times (27.61 + 39.96 + 52.84) = 10,957.31 + .9568 = \underline{11,452.04}$$

\$751.36 Annual Savings**

Cost Reduction

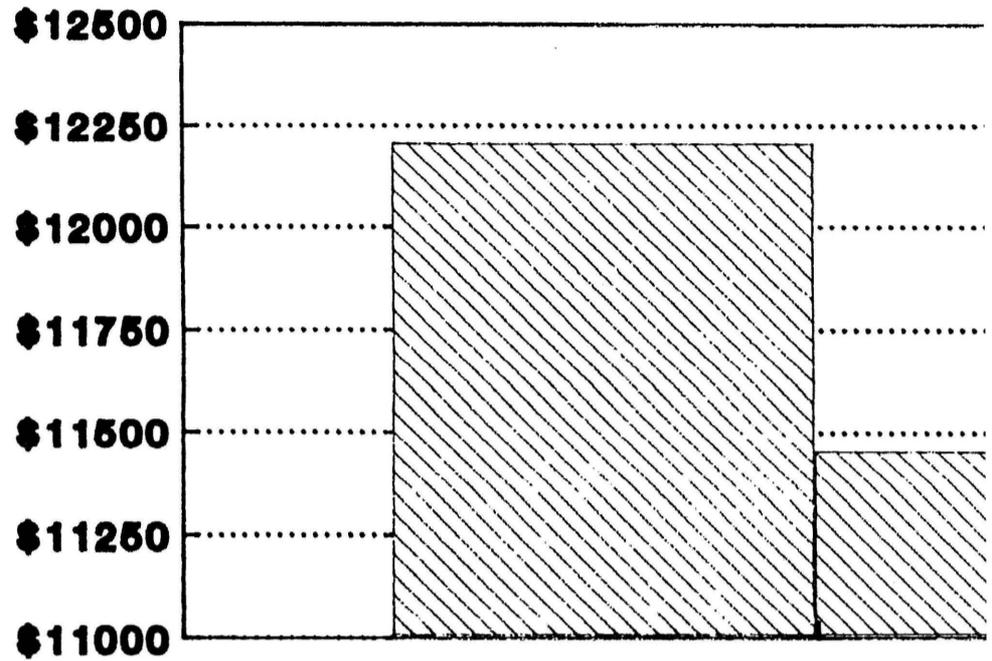
Formula: $\frac{\text{Annual Savings}}{\text{Total Cost Existing SEL}} = \text{Cost Reduction}$

$$\frac{\$751.36}{\$12,203.40} = 6.1 \%$$

*Gross Revenue Tax Factor (GRT)

**Prices quoted are in effect on date of proposal, inclusive of the gross revenue tax, and are subject to increase from time to time with NMPC's general rate changes.

ECONOMIC ANALYSIS MERCURY VAPOR / HIGH PERFORMANCE



LUMINAIRE

 **MERCURY VAPOR**  **HIGH PERFORMANCE**

• **PRICES ARE SUBJECT TO CHANGE**

NEXT STEPS

The benefits of converting the existing street lights from mercury vapor to high pressure sodium is significant. In order to begin Niagara Mohawk's street light conversion, it is necessary to:

1. Provide written notification of proposal acceptance.
2. Update the street light agreement.

I will then coordinate the implementation process to ensure a smooth transition from the necessary construction orders to actual field construction. Based on NMPC's current work schedule, estimated completion is approximately six months from receipt of your acceptance.

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

WHEREAS, Conrail has proposed to sell its former Bison Yard Property (located between Harlem Road and Broadway and north of Conrail's mainline right-of-way) in the Town of Cheektowaga, and

WHEREAS, pursuant to Section 18 of the Transportation Law of the State of New York, the state and its municipalities have a preferential right to acquire railroad property to be sold for transportation purposes, and

WHEREAS, in order to proceed with its planned development of the Bison Yard Property as quickly as possible, Conrail has requested the Town to release its preferential right to acquire any portion of the Bison Yard Property for highway purposes, and

WHEREAS, the Town Highway Superintendent and Town Engineer have reviewed Conrail's request and have no objection to the Town releasing its preferential rights under Section 18 of the Transportation Law with the following conditions(s):

1. Town seeks to install a drainage system, across the Conrail development parcel in accordance with an approved plan to connect the Town drainage system between Kennedy Road and eventually to William St.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests that the New York State Department of Transportation (NYSDOT) not assign the Town of Cheektowaga the preferential right of purchase of Conrail's former Bison Yard Property (located between Harlem Road and Broadway and north of Conrail's mainline right-of-way), as provided the Town under Section 18 of the Transportation Law of the State of New York, subject to the drainage rights hereinbefore mentioned, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to notify the NYSDOT of the Town's release of its preferential rights to acquire Conrail's former Bison Yard Property.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga has received another notification of an unsafe, abandoned structure at 830 Borden Road, Cheektowaga, New York, S.B.L. #114.20-9-12 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors' Office is owned by the County of Erie, 95 Franklin Street, Buffalo, New York 14202 AND

WHEREAS, the Erie County Deputy Commissioner of Finance, has authorized the Town of Cheektowaga Housing Inspector to take immediate steps to board over and secure all openings in this structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that all openings in this structure be boarded over and secured and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Blachowski Seconded by Supervisor Swiatek

WHEREAS, the Town of Cheektowaga has established a Neighborhood/Facade Improvements Program for the Walden Avenue neighborhood, and

WHEREAS, the Town wishes to engage the services of a professional architect to provide architectural services in relation to said program, and

WHEREAS, funding for such services is included in the Town's 1990-91 Community Development Block Grant Program budget, NOW, THEREFORE, BE IT

RESOLVED, that the Community Development Director is hereby authorized to solicit proposals for said architectural services in conformance with applicable Community Development Program regulations, including the publishing of a notice in the Buffalo News and the Buffalo Challenger.

Upon Roll Call....

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

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

WHEREAS, the Town has determined that a need exists to create the position of Junior Accountant in the Accounting Department, and

WHEREAS, said position is subject to review and approval by the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED, that the position of Junior Accountant be and hereby is created, subject to review and approval by the Erie County Department of Personnel and that the Employee Relations Department process the necessary paperwork with the Department of Personnel.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Kulyk Seconded by Councilman Rogowski

BE IT RESOLVED, that the position of Clerk-Typist in the Accounting Department be and hereby is abolished.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, due to a temporary promotion, a temporary vacancy exists in the position of Clerk-Typist in the Assessor's Office, AND

WHEREAS, notice of such temporary vacancy has been posted in accordance with the provisions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, no union employee bid on said position, AND

WHEREAS, Sandra H. Trzaska has applied for said position, has been interviewed, and meets all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 18 continued

RESOLVED, that Sandra H. Trzaska of Sloan, New York 14212, be and hereby is appointed to the temporary vacancy of Clerk-Typist in the Assessor's Office in accordance with the terms and conditions of the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association, AND. BE IT FURTHER

RESOLVED, that said temporary appointment is effective April 16, 1991 and shall not exceed a period of ninety (90) days.

Upon Roll Call....

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

Item No. 19 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

BE IT RESOLVED that the below listed individuals be hired for the Cheektowaga Youth & Recreational Services Soccer Program (01-7140-1611) at the designated titles and salaries, effective immediately:

Soccer Program Director - \$6.00 per hour:

Paul Dennis 14225

Youth Soccer Coordinator - \$5.25 per hour:

Anthony Perino 14043

Youth Soccer Supervisor - \$5.25 per hour:

Maurice Desjardins 14227

Soccer Instructor - Level I - \$4.75 per hour:

Roy Schneiderman 14225
Paul Lutz 14225
Ben Dennis 14225
Heather Chapp 14206
Tim Kronenwetter 14225
Joseph M. Pace 14043

Soccer Instructor - Level II - \$4.50 per hour:

Mark Perino 14043
Susan Rink 14043
Robert Kowalewski 14227

BE IT FURTHER RESOLVED, that Matt Haberl of Cheektowaga, 14225 was erroneously hired as Soccer Instructor under line item (7140.1611) and should be hired as a Soccer Supervisor at the rate of \$5.25 per hour, effective immediately.

MOTION BY COUNCILMAN KULYK AND SECONDED BY COUNCILMAN ROGOWSKI TO TABLE THE ABOVE RESOLUTION AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

MEETING NO. 8
April 15, 1991

Item No. 20 Motion by Supervisor Swiatek Seconded by Councilman Blachowski

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

GENERAL FUND

FROM: 0100-1410-4401 Town Clerk Office Supply \$278.00
TO: 0100-1410-4431 Town Clerk Equipment Maintenance \$278.00

SPECIAL FUND

FROM: 2500-8125-4543 Sewer District #5
Contracted Sewer Repair \$7,000.00
TO: 2500-8125-4453 Sewer District #5
Building Reparis \$7,000.00

Upon Roll Call....

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

Item No. 21 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to April 15, 1991, are hereby approved and made a part hereof:

GENERAL FUND	\$2,456,622.12
HIGHWAY FUND	1,044,701.11
TRUST & AGENCY FUND	2,920,449.83
CDBG HUD FUND	14,603.94
PART TOWN FUND	33,696.85
RISK RETENTION FUND	83,548.54
STATE AHC	1,324.00
HUD REHABILITATION	6,880.32
HUD RENTAL REHABILITATION	4,716.98
SPECIAL DISTRICTS	\$3,145,672.13
CAPITAL FUND	646,691.54
TOTAL	<u>\$10,358,907.36</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Office of Disaster Preparedness Quarterly Report/January-March, 1991.
Received and Filed

Item No. 23 Minutes of Cheektowaga Planning Board/March 14, 1991.
Received and Filed

IV. GENERAL COMMUNICATIONS

Item No. 24a Notice of Claim: Gregory D. Grzedzicki vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Christopher
Kowal, Highway Department; Allied Claims Service, Insurance Carriers.
Received and Filed.

Item No. 24b Notice of Claim: Anthony & Christine Kasianowicz vs Town of
Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Sewer
Maintenance Department; Allied Claims Service, Insurance Carriers.
Received and Filed.

Item No. 24c Notice of Claim: Giuseppe Buccoleri vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Chief
Chamberlin, Police Department; Allied Claims Service, Insurance
Carriers.
Received and Filed.

Item No. 24d Notice of Claim: Helen Hammond vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Main Pump
Station; Allied Claims Service, Insurance Carriers.
Received and Filed.

* * * * *

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

Upon Roll Call....

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

* * * * *

V. SUSPENSION OF RULES

Item No. 25 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

WHEREAS, the Town of Cheektowaga herein called the "Municipality",
after thorough consideration of the various aspects of the problem and study of
available data, has hereby determined that certain work, as described in the State
Contract, herein called the "Project," is desirable, in the public interest, and is
required in order to study and/or implement the local project or program; and

WHEREAS, under Chapter 53, Section 1 and 2, of the Laws of 1990
relating to the Local Assistance Budget the Legislature has authorized financial
assistance to localities for services and expenses related to local projects,
programs and studies by means of a written agreement; and

WHEREAS, the Municipality has examined and duly considered Chapter
53, Sections 1 and 2, of the Laws of 1990 relating to the Local Assistance Budget
and deems it to be in the public interest and benefit under this law to enter into a
contract therewith;

Item No. 25 continued

Cheektowaga: NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of

1. That the Town Supervisor is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State, and to provide such additional information as may be required for Contract No. C900014 (Cheektowaga Compost Project/Equipment):
2. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York together with the State Contract.
3. That this Resolution take effect immediately.

Upon Roll Call...

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

Item No. 26 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is a member of Cheektowaga United, a local coalition chartered to coordinate alcoholism and other drug abuse prevention/education programs in the community, and

WHEREAS, the misuse and abuse of alcohol and other drugs has been identified as a concern in the community and was recently documented by a Town-wide survey of youth in grades 6 through 12 conducted for Cheektowaga United by the Greater Buffalo Council on Alcoholism and Substance Abuse which indicated that 63% of the students in our community drank alcoholic beverages over the past year and 12% have used marijuana and other illegal substances, and

WHEREAS, the Town of Cheektowaga and other members of the Cheektowaga United have committed significant resources toward the coordination and planning of a Town-wide substance abuse prevention/education program, and

WHEREAS, through the efforts of State Assemblyman Paul Tokasz, New York State has committed \$15,000 in Legislative initiative monies to Cheektowaga United for the purpose of conducting prevention programs, and

WHEREAS, through the efforts of State Senator Dale Volker, New York State has committed \$12,195 in Legislative Initiative monies to the Town of Cheektowaga Youth Bureau for the purpose of intervention assistance, and

WHEREAS, the Town of Cheektowaga further recognizes the need to encompass the entire community in the war on substance abuse and is seeking additional sources of funding to undertake this mission, and

WHEREAS, grant monies are available through the United States Public Health Service, Office of Substance Abuse Prevention for the implementation of The Community Partnership Program to underwrite 100% of the costs associated with programs of this nature, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to United States Public Health Service, Office of Substance Abuse Prevention for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Item No. 26 continued

Upon Roll Call....

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

Item No. 27 Motion by Councilman Kulyk Seconded by Councilman Solecki

BE IT RESOLVED, that the following individuals are hired as Seasonal Employees in the listed departments, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) weeks in a calendar year:

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour

James Kaczmarek	(Laborer)	Immediately
Robert Wareham	(Laborer)	"
Robert Stando	(Laborer)	"
David Smith	(Laborer)	"
Gerald Dove	(Laborer)	"
Ronald Fenske, Jr.	(Laborer)	"

AND BE IT FURTHER RESOLVED, that Carol Weber of is hired as a part-time employee in the Sanitation Department at a rate of \$5.00 per hour.

Upon Roll Call....

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

Item No. 28 Motion by Councilman Blachowski and Seconded by Councilman Jaworowicz to adjourn the meeting.

Richard M. Moleski,
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 6th day of May, 1991 at 7:30 o'clock P.M., Eastern Daylight Saving Time there were:

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

Also present were: Richard M. Moleski, Town Clerk; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Greg Joos, Employee Relations Coordinator; Christopher J. Kowal, Highway Superintendent; John Schaller, Assistant Chief of Police and Ronald Marten, Building Inspector.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VII

Turning Movements

76.74 No right on red.

The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:

The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Drive	Northbound	S.E. Corner
Isabelle Road	South	Applewood Road	Southbound	N.E. Corner

Item No. 2 continued

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

(3) The exclusion of county road(s) from Subsection A(1) shall not apply to the following named county road(s), which road(s) shall have an established speed limit of forty-five (45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the Section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Eggert Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Road westerly to the Amherst Town line
Beach Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village line southerly to the West Seneca Town Line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line
Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 952Q, northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State Route 277, westerly to the Buffalo City line
Indian Road - from Como Park Boulevard to Rowley Road

Item No. 2 continued

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Road to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to the south curblineline of Madeira Drive extended.
Dubonnet Drive	east side	from the south curblineline of Madeira Drive southerly to the Terminus
Farmingdale Road	west side	from the south curblineline of Cleveland Drive to the south curblineline of Greenway Boulevard extended
Peachtree Road	north side	from west curblineline of Kaufman Road westerly 55 feet to a point
Ellicott Creek Rd	east side	from the north curblineline of Aero Drive to a point 300 feet northerly
Countryside Lane	south side	from the east end of the west cul-de-sac to the west end of the east cul-de-sac
Countryside Lane	north-south leg	east and west side, from the south curblineline of Como Park Boulevard to the north curblineline of Countryside Lane (east-west leg)
Honorine Drive	west side	from the south curblineline of Como Park Boulevard southerly to dead end
Hitchcock Drive	east side	from the south curblineline of Como Park Boulevard southerly to dead end

Item No. 4 continued

WHEREAS, inadvertently, such public hearing was not held on April 15, 1991, and

WHEREAS, a revised notice for such public hearing was published in the Cheektowaga Times stating that such hearing would be held on May 6, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution dated April 1, 1991 be and hereby is amended to state that the public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga will be held on May 6, 1991 at 7:30 P.M. at the Cheektowaga Town Hall.

Upon Roll Call....

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

Item No. 5 Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on April 15, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VII

Turning Movements

76.74 No right on red.

The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

- B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:

The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Drive	Northbound	S.E. Corner
Isabelle Road	South	Applewood Road	Southbound	N.E. Corner

Item No. 5 continued

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

(3) The exclusion of county road(s) from Subsection A(1) shall not apply to the following named county road(s), which road(s) shall have an established speed limit of forty-five (45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the Section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Eggert Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Road westerly to the Amherst Town line
Beach Road - from Genesee Street northerly to the Amherst Town Line
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village line southerly to the West Seneca Town Line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line
Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 952Q, northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State Route 277, westerly to the Buffalo City line
Indian Road - from Como Park Boulevard to Rowley Road

Item No. 5 continued

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Road to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to the south curbline of Madeira Drive extended.
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Dubonnet Drive	east side	from the south curbline of Madeira Drive southerly to the Terminus
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Farmingdale Road	west side	from the south curbline of Cleveland Drive to the south curbline of Greenway Boulevard extended
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Peachtree Road	north side	from west curbline of Kaufman Road westerly 55 feet to a point
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Ellicott Creek Rd	east side	from the north curbline of Aero Drive to a point 300 feet northerly
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Countryside Lane	south side	from the east end of the west cul-de-sac to the west end of the east cul-de-sac
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Countryside Lane	north-south leg	east and west side, from the south curbline of Como Park Boulevard to the north curbline of Countryside Lane (east-west leg)
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Honorine Drive	west side	from the south curbline of Como Park Boulevard southerly to dead end
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Hitchcock Drive	east side	from the south curbline of Como Park Boulevard southerly to dead end
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Item No. 5 continued

C. No parking here to corner

Ellen Drive south side from the east curblin of Terry Lane easterly
30 feet to a point.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

* * * * *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN ROGOWSKI TO TABLE ITEM NO. 5 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

* * * * *

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

WHEREAS, Chapter 42 of the Code of the Town of Cheektowaga (Liability of Town: Prior Notice Required) was enacted in 1959 and contains prior notice requirements for making a claim against the Town, and

WHEREAS, it has been recommended by the Town's Insurance Consultant and Town Attorney that such chapter be repealed and a new local law be adopted in order to update prior notice requirements and to clarify such law, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for the purpose of considering the advisability of repealing Chapter 42 of the Code of the Town of Cheektowaga and of adopting Local Law No. 1 of the Year 1991, entitled "A Local Law Providing For Written Notification of Defects and Obstructions on Town Property and Highways in the Town of Cheektowaga", 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.

Item No. 6a continued

* * * * *

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, to consider repealing Chapter 42 of the Code of the Town of Cheektowaga ("Liability of Town: Prior Notice Required") and the adoption of Local Law No. 1 of the Year 1991 entitled "A Local Law Providing for Written Notification of Defects and Obstructions on Town Property and Highways in the Town of Cheektowaga". Following is an abstract of such local law:

LOCAL LAW NO. 1 OF THE YEAR 1991

A LOCAL LAW PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS

AND OBSTRUCTIONS ON TOWN PROPERTY AND HIGHWAYS IN THE TOWN OF CHEEKTOWAGA

This local law will provide that prior written notice must be given to the Town of Cheektowaga concerning defects and obstructions on Town property and highways, including streets, sidewalks and other facilities, before a civil action can be maintained against the Town. Requirements for such prior notice are contained in the local law.

A copy of the full text of Local Law No. 1 of the Year 1991 is on file in the Town Clerk's Office where it may be examined during regular business hours.

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

Richard M. Moleski
Town Clerk

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....May 9, 1991.....;
last publication.....May 9, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this9th.....

day ofMay....., 19.91..

.....Margaret J. Boudette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
NY COMMISSION EXPIRES 12/31/91

**LEGAL NOTICE
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, to consider repealing Chapter 42 of the Code of the Town of Cheektowaga ("Liability of Town: Prior Notice Required") and the adoption of Local Law No. 1 of the Year 1991 entitled "A Local Law Providing for Written Notification of Defects and Obstructions on Town Property and Highways in the Town of Cheektowaga". Following is an abstract of such local law:

**LOCAL LAW NO. 1 OF THE
YEAR 1991**

**A LOCAL LAW PROVIDING
FOR WRITTEN NOTIFICATION
OF DEFECTS AND
OBSTRUCTIONS ON TOWN
PROPERTY AND HIGHWAYS IN
THE TOWN OF CHEEKTOWAGA**

This local law will provide that prior written notice must be given to the Town of Cheektowaga concerning defects and obstructions on Town property and highways, including streets, sidewalks and other facilities, before a civil action can be maintained against the Town. Requirements for such prior notice are contained in the local law.

A copy of the full text of Local Law No. 1 of the Year 1991 is on file in the Town Clerk's Office where it may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 9, 1991

Item No. 6b Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, under Chapter 78 of the Code of the Town of Cheektowaga, procedures are established for the removal, towing and storage of disabled motor vehicles, and

WHEREAS, occasionally, some of these towed vehicles become abandoned vehicles, as such term is defined in the State Vehicle and Traffic Law, and

WHEREAS, Section 1224(6) of the Vehicle and Traffic Law authorizes this Town Board to adopt a local law to permit the conversion of some of these abandoned vehicles to Town use, and

WHEREAS, this Town Board is interested in being able to convert some of these abandoned vehicles to Town use, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, to consider the advisability of adopting a local law known as "A Local Law to Amend Local Law No. 2 of the Year 1986" to authorize the conversion of abandoned vehicles to Town use, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed local law entitled "A Local Law to Amend Local Law No. 2 of the Year 1986", which local law is as follows:

LOCAL LAW INTO NO. 1991-2

A LOCAL LAW TO AMEND LOCAL LAW NO. 2 OF THE YEAR 1986

Section 78-11.A. Conversion of abandoned vehicles.
Any vehicle towed pursuant to this chapter or otherwise caused to be towed by the Town which shall become an abandoned vehicle may be converted to Town use pursuant to Section 1224(6) of the Vehicle and Traffic Law of the State of New York.

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

Richard M. Moleski
Town Clerk

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....May 9, 1991.....;
last publication.....May 9, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....

Sworn to before me this9th.....

day ofMay....., 19..91..

Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed local law entitled "A Local Law to Amend Local Law No. 2 of the Year 1986", which local law is as follows:

**LOCAL LAW
INTRO NO. 1991-2**

**A LOCAL LAW TO AMEND
LOCAL LAW NO. 2 OF THE YEAR
1986 Section 78-11.A. Conversion of
abandoned vehicles. Any vehicle
towed pursuant to this chapter or otherwise caused to be towed by the Town which shall become an abandoned vehicle may be converted to Town use pursuant to Section 1224(6) of the Vehicle and Traffic Law of the State of New York.**

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

**RICHARD M. MOLESKI
Town Clerk**

PUBLISH: May 9, 1991

Richard M. Moleski

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

WHEREAS, Dr. G. Boncaldo/B. Bernard R.A. has made application and requested the rezoning of property located at 2409 Union Road from RA/RC Apartment/Restricted Business to RC All Restricted Business District with the permission of the owner of the property, namely Christine C. Schultz. NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 20, 1991 at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....May 9, 1991.....;
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tween publications.

.....Melanie Wolf.....

Sworn to before me this9th.....

day ofMay....., 1991...

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
NY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 20th day of MAY, 1991 at 7:00 o'clock, P.M., Eastern DAYLIGHT SAVING Time of said day for the purpose of considering the application of DR. G. BONCLADO/C. SCHULTZ/B. BERNARD R.A. to Rezone from RA/RC-APARTMENT & RESTRICTED BUSINESS District to RC-ALL RESTRICTED BUSINESS District on property located at 2409 UNION ROAD and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of the east part of Lot 61, Buffalo Creek Reservation Lands in the Township 10, Range 7 and being that part of the lands described in a certain deed given by Anthony Groell, Executor, etc., to Larry Frankowiak and Vencenty Frankowiak, dated July 24, 1918, recorded in the Office of the Clerk of the County of Erie in Liber 1347 of Deeds at Page 430, fronting on Union Road and lying south of the Slate Rock Bottom Creek, being more particularly described as follows:

Beginning at a point on the south side of Slate Bottom Creek where it intersects with the east line of Union Road which point is also on an easterly line of lands appropriated by the State of New York under Map 52, Parcel 61; thence southerly along said appropriated east line a distance of sixty-five (65) feet to a point; thence westerly along the southerly line of said appropriated lands a distance of twenty-five (25) feet to a point which point is also on the east line of Union Road; thence southerly along the east line of Union Road a distance of two hundred three and two tenths (203.2) feet to a point; thence easterly at an interior angle of 86 degrees 24' 25" a distance of six hundred seventy seven and fifty hundredths (677.50) feet to a point on the east line of Lot No. 61 and one hundred eighty-one and two hundredths (181.02) feet north of the south line of Lot No. 61 measured along the east line of Lot No. 61; thence northerly along the east line of Lot No. 61, a distance of three hundred twenty three (323) feet more or less to a point on the south side of Slate Bottom Creek; thence westerly along the south side of Slate Bottom Creek to the place or point of beginning.

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

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 9, 1991

Item No. 7a Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, bids were duly received on April 29, 1991 as a result of advertisement for the furnishing of all corrugated metal, aluminized metal, slotted, polyethylene and reinforced concrete pipe requirements of the Town of Cheektowaga for the year 1991. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated May 1, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for furnishing pipe to the Town for the year 1991, as per said unit prices and as recommended by the Town Engineer, is hereby awarded to the following:

Chemung Supply Corporation
P.O. Box 527
Elmira, New York 14902
(607) 733-5506

ITEM A:	6" dia. CMP	\$ 2.22 L.F.
	8" dia. CMP	2.94 L.F.
	10" dia. CMP	3.66 L.F.
	12" dia. CMP	4.97 L.F.
	15" dia. CMP	6.19 L.F.
	18" dia. CMP	7.47 L.F.
	21" dia. CMP	8.79 L.F.
	24" dia. CMP	13.24 L.F.
	30" dia. CMP	16.37 L.F.
	36" dia. CMP	20.17 L.F.
	42" dia. CMP	24.74 L.F.
	48" dia. CMP	27.98 L.F.
	54" dia. CMP	32.77 L.F.
	43" x 27" CMP	20.89 L.F.
	50" x 31" CMP	25.98 L.F.
	58" x 36" CMP	29.39 L.F.
	65" x 36" CMP	33.72 L.F.
	65" x 36" Paved Invert	37.88 L.F.
	72" x 44" CMP	46.67 L.F.
	72" x 44" Paved Invert	50.41 L.F.

	18" dia. slotted drain - 2-1/2"	23.97 L.F.
	18" dia. slotted drain - 6"	30.67 L.F.
	18" dia. slotted drain band	21.34 each

ITEM D:	8" dia. CMP Perf. U.D.	3.01 L.F.
	10" dia. CMP Perf. U.D.	3.76 L.F.
	15" dia. CMP Perf. U.D.	5.36 L.F.

ITEM F:	42" Spiral Rib CMP	29.74 L.F.
	48" Spiral Rib CMP	33.97 L.F.

ITEM G:	24" Polyethylene Pipe	\$ 9.38 L.F.
	36" Polyethylene Pipe	21.29 L.F.

K & S Contractors Supply, Inc.
1971 Gunville Road
Lancaster, New York 14086
759-6911

ITEM E:	36" R.C.P. Class IV	39.85 L.F.
	84" R.C.P. Class IV	215.50 L.F.

Item No. 7a continued

Vellano Brothers, Inc.
4401 Walden Avenue
Lancaster, New York 14086
684-7222

ITEM E:	12" R.C.P. Class III	7.45 L.F.
	12" R.C.P. Class IV	7.45 L.F.
	15" R.C.P. Class III	9.65 L.F.
	15" R.C.P. Class IV	9.65 L.F.
	18" R.C.P. Class III	12.15 L.F.
	18" R.C.P. Class IV	12.15 L.F.
	21" R.C.P. Class III	14.70 L.F.
	21" R.C.P. Class IV	16.82 L.F.
	24" R.C.P. Class III	17.34 L.F.
	24" R.C.P. Class IV	19.81 L.F.
	30" R.C.P. Class III	25.11 L.F.
	30" R.C.P. Class IV	27.75 L.F.
	33" R.C.P. Class III	29.38 L.F.
	33" R.C.P. Class IV	33.56 L.F.
	36" R.C.P. Class III	35.91 L.F.
	42" R.C.P. Class III	45.44 L.F.
	42" R.C.P. Class IV	50.57 L.F.
	48" R.C.P. Class III	58.51 L.F.
	48" R.C.P. Class IV	65.55 L.F.
	54" R.C.P. Class III	81.05 L.F.
	54" R.C.P. Class IV	89.90 L.F.
	60" R.C.P. Class III	95.91 L.F.
	60" R.C.P. Class IV	107.20 L.F.
	66" R.C.P. Class III	118.75 L.F.
	66" R.C.P. Class IV	132.70 L.F.
	72" R.C.P. Class III	149.50 L.F.
	72" R.C.P. Class IV	169.50 L.F.
	84" R.C.P. Class III	192.07 L.F.
	12" polyethylene pipe	3.25 L.F.
	15" polyethylene pipe	4.45 L.F.
	18" polyethylene pipe	6.55 L.F.
	30" polyethylene pipe	16.65 L.F.

Lane Enterprises, Inc.
P.O. Box 711
Bath, New York 14810
(607) 776-3366

ITEM B:	12" CMP end section	30.00 each
	15" CMP end section	40.00 each
	18" CMP end section	50.00 each
	21" CMP end section	60.00 each
	24" CMP end section	70.00 each
	30" CMP end section	125.00 each
	36" CMP end section	200.00 each
	12" dia. CMP perf. U.D.	4.15 L.F.

Southern Tier Municipal Supplies
& Construction Equipment Co., Inc.
P.O. Box 0892
Jones & Gifford Avenue
Jamestown, New York 14702-0892

ITEM A:	14	60" dia. CMP	\$ 45.49 L.F.
	15	72" dia. CMP	53.76 L.F.
	16	84" dia. CMP	61.29 L.F.
	18	43" x 27" paved invert	24.18 L.F.
	20	50" x 31" paved invert	28.54 L.F.
	22	58" x 36" paved invert	32.39 L.F.

Item No. 7a continued

ITEM C:	12" slotted drain CMP - 2-1/2"	19.36 L.F.
	12" slotted drain CMP - 6"	26.00 L.F.
	12" slotted drain bands	16.11 each
	15" slotted drain CMP - 2-1/2"	21.71 L.F.
	15" slotted drain CMP - 6"	26.82 L.F.
	15" slotted drain bands	18.68 each
	6" dia. CMP perf. U.D.	2.24 L.F.
	18" spiral rib CMP	8.88 L.F.
	21" spiral rib CMP	14.37 L.F.
	24" spiral rib CMP	16.46 L.F.
	30" spiral rib CMP	19.91 L.F.
	36" spiral rib CMP	24.08 L.F.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



May 1, 1991

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Corrugated Metal, Polyethylene
and Reinforced Concrete Pipe

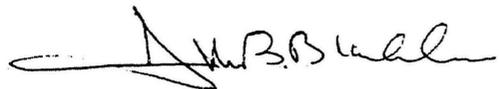
Gentlemen:

At a public bid opening on April 29, 1991, bids were received and publicly opened for the purchase of corrugated metal, polyethylene and reinforced concrete pipe in various sizes for the 1991 calendar year. Six (6) bidders submitted bids for the ninety (90) pipe and related items as outlined in the specifications.

It is, therefore, recommended that the bid for the various pipes and related items be awarded to the lowest responsible bidder meeting the requirements of the specifications as outlined on the attached resolution.

Very truly yours,

TOWN OF CHEEKTOWAGA



Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

Item No. 7b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the purchase of recreational and sport clothing for use in the Cheektowaga Youth and Recreational Services Department, as a result of advertisement thereof and such bids were referred to the Director of Youth and Recreational Services for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been completed,

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

--Graduate Service of WNY
42 Wilkshire Place
Lancaster, New York 14086

--Marketing Services, Inc.
1517 Kenmore Avenue
Buffalo, New York 14217

--Velva Sheen, Manufacturing
3860 Virginia Avenue
Cincinnati, Ohio 45227-3487

AND FURTHER BE IT RESOLVED that any purchases resulting from the award of this bid for the Youth and Recreational Services Department will be funded through line items 01-7310-04-4691, Day Camp for the Developmentally Disabled, 01-7140-04-4025, Athletic Supplies, 01-7180-0004-4074, Clothing, Bathing Suits, T&A 894, Adapted Recreation Program.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

BID ITEMS

ITEM 1 T-SHIRTS

A) Solid color, 50/50 poly cotton including printing for one side

AMOUNT ORDERED:
 Adult Sizes: Small 78
 Medium 78
 Large 96
 X-Large 102

Marketing Services
 $\frac{W}{3.15} \quad \frac{L}{3.50} \quad \frac{D}{3.75}$

Bid price each _____
 Total price _____

Youth Sizes: Small 72
 Medium 104
 Large 104

$\frac{W}{2.60} \quad \frac{L}{2.95} \quad \frac{D}{3.10}$
 Bid price each _____
 Total price _____

B) Heavyweight 100% cotton and set in sleeves. Colored roll-up sleeves & inner collar, including printing for one side

AMOUNT ORDERED:
 Adult Sizes: Small 12
 Medium 24
 Large 66
 X-Large 72

Graduate Services

Bid price each ⁶7.00
 Total price _____

C) Heavyweight 100% cotton and set in sleeves. Colored roll-up sleeves & inner collar, including printing on both sides

AMOUNT ORDERED:
 Adult Sizes: Small 12
 Medium 24
 Large 66
 X-Large 72

Graduate Services

Bid price each ⁸7.50
 Total price _____

ITEM 2 SHORTS

A) 100% supplex shorts with pockets, including printing on left front leg

AMOUNT ORDERED:
 Adult Sizes: Small 24
 Medium 30
 Large 30
 X-Large 18

Veha Sheen

Bid price each ⁸6.65
 Total price _____

ITEM 3

TANK TOPS

A) Heavyweight 100% cotton, including printing on the front

AMOUNT ORDERED:

Adult Sizes:	Small	
	Medium	6
	Large	27
	X-Large	15

Marketing Services

Bid price each *4.30
 Total price _____

B) Heavyweight 100% cotton, including printing on the front and back

AMOUNT ORDERED:

Adult Sizes:	Small	
	Medium	6
	Large	27
	X-Large	15

Graduate Services

Bid price each *5.00
 Total price _____

ITEM 4

SWEAT SHIRTS

A) 50/50 poly/cotton horizontally striped crew neck, set in sleeves, including printing on the front

AMOUNT ORDERED:

Adult Sizes:	Small	
	Medium	12
	Large	18
	X-Large	18

Velva Sheen

Bid price each *12.85
 Total price _____

B) 50/50 poly/cotton crew neck set-in sleeve and lengthened armholes, including printing on the front

AMOUNT ORDERED:

Adult Sizes:	Small	6
	Medium	12
	Large	18
	X-Large	30

Graduate Services

Bid price each *12.50
 Total price _____

Youth Sizes:	Small	
	Medium	6
	Large	12

Bid price each *10.00
 Total price _____

ITEM 5 SWEAT PANTS

A) 50/50 Fleece, inside drawstring with elastic ankle and waist, including printing on the front left leg

AMOUNT ORDERED:

Adult Sizes:	Small	12
	Medium	30
	Large	24
	X-Large	24

Marketing Services

W G
8.50 8.95

Bid price each _____
Total price _____

Youth Sizes:	Small	6
	Medium	6
	Large	12

W G
7.50 7.95

Bid price each _____
Total price _____

ITEM 6 SOCCER SHIRTS

A) 50/50 screen stars best. Different colored shirts with logo printed on front, numbers (1-18) on back

AMOUNT ORDERED:

Adult Sizes*	Small	
	Medium	18 DOZEN
	Large	
	X-Large	

Graduate Services

Bid price each 4.75
Total price _____

Youth Sizes*	Small	
	Medium	29 DOZEN
	Large	

Bid price each 4.20
Total price _____

EXACT SIZES UNKNOWN

ITEM 7 SWIM TRUNKS

A) ONLY Speedo 60% cotton 40% nylon lining 100% nylon RN # 54934 Kelly Green color with GUARD patch on left leg

AMOUNT ORDERED:

Adult Sizes:	Medium	30
	Large	24
	X-Large	6

Marketing Services

Bid price each 23.75
Total price _____

ITEM 8

LADIES BATHING SUITS

A) ONLY "Ocean" 100% nylon Kelly Green
100% nylon RN# 19331
AMOUNT ORDERED:
Ladies Size 12: 34

Marketing
Services

Bid price each 20.50
Total price _____

ITEM 9

HOCKEY JERSEYS

A) Athletic Sewing Three Color Hockey
Jersey Pro-Mesh, with front logo
heat pressed and two-color sewn-on
numbers on back
AMOUNT ORDERED:
Youth Sizes: Small
Medium 3-1/2 dozen
Large

Marketing
Services

Bid price each 21.85
Total price _____

ITEM 10

LIFEGUARD JACKETS

A) Nylon Jacket--100% Oxford Nylon,
100% Brushed Polyester, Water
Repellant, Snap button front,
Embroidered department name on front
left area, Sewn-on lifeguard
lettering
AMOUNT ORDERED:
Adult Sizes: Large 12
X-Large 12

Velva
Sheen

Bid price each 19.10
Total price _____

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

WHEREAS, it is in order that bids be advertised to cover the purchase and installation of fencing at the Main Pump Station, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing and installation of fencing at the Main Pump Station, notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 20th day of May, 1991 at 11:00 A.M., Eastern Daylight Saving 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 May 20, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing and installation of fencing at the Main Pump Station.

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

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

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

Richard M. Moleski
Town Clerk

DATED: May 6, 1991

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....May 9, 1991.....;
last publication.....May 9, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this9th.....

day ofMay....., 1991..

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/1/91

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on May 20, 1991 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing and installation of fencing at the Main Pump Station.

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

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

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

Ricahrd M. Moleski
Town Clerk

DATED: May 6, 1991

PUBLISH: May 9, 1991

MEETING NO. 9
May 6, 1991

Item No. 9 Motion by Councilman Kulyk, Seconded by Councilman Blachowski

WHEREAS, Michael J. Desiderio (the "Applicant") has applied to the Town of Cheektowaga for an environmental review of his request to rezone and obtain a special permit for 13.9 acres of land known as 2911 William Street from RA-Apartment District to C-Retail Business District for the construction of the Liberty Park Inn and Entertainment Center (the "Project") pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, there has been agreement by the appropriate governmental agencies (State, County, Local) that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning the Project, and

WHEREAS, by resolution dated June 5, 1989, the Cheektowaga Town Board determined that the Applicant must prepare and submit to the Town for its review a Draft Environmental Impact Statement ("DEIS") addressing certain environmental effects of the Project, and

WHEREAS, the Applicant submitted a DEIS to the Town, and this Town Board accepted such DEIS and held a public hearing thereon on June 18, 1990, and

WHEREAS, by resolution dated June 18, 1990, this Town Board requested the Applicant to prepare and submit a Supplemental Environmental Impact Statement ("SEIS") for the Project to the Town concerning drainage, and

WHEREAS, the Applicant submitted a SEIS for the Project to the Town, and this Town Board accepted such SEIS and held a public hearing thereon on April 15, 1991, and

WHEREAS, public comment on such SEIS expired on May 3, 1991, and

WHEREAS, under SEQRA, the next step is for this Town Board to determine if a Final Environmental Impact Statement ("FEIS") should be prepared for the Project and who should prepare it, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby determines that a FEIS should be prepared for the Project in accordance with Part 617 of the SEQRA regulations, and BE IT FURTHER

RESOLVED, that the Applicant be and hereby is directed to prepare the FEIS for the Project and submit same to this Town Board and to the Town Environmental Advisory Committee, and BE IT FURTHER

RESOLVED, that the Town's SEQRA Intake Officer be and hereby is directed to notify the Applicant and all others required under SEQRA of this requirement.

Upon Roll Call....

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

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

WHEREAS, by resolution dated April 15, 1991, this Town Board authorized the Supervisor to execute a General Release relating to the settlement of a lawsuit entitled "Henry E. Lohr and Bernice Lohr v. Town of Cheektowaga and Town of Cheektowaga Police Department", and

WHEREAS, such resolution stated that the \$5,000 settlement amount would be appropriated from the Risk Retention Fund, and

WHEREAS, the Town, at the time of the incident resulting in this lawsuit, was covered by insurance through United States Fidelity & Guaranty Company and such insurance company is obligated to pay the settlement, NOW, THEREFORE, BE IT

MEETING NO. 9
May 6, 1991

Item No. 10 continued

RESOLVED, that the last "RESOLVED" paragraph of the aforementioned resolution dated April 15, 1991 be and hereby is amended to state that the \$5,000 settlement amount shall be paid by United States Fidelity & Guarante Company.

Upon Roll Call....

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

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

WHEREAS, by resolution dated January 21, 1991, this Town Board entered into a contract for the sale of a portion of unutilized park property located on Rehm Road, and requested the State Legislature to adopt legislation to authorize such sale, and

WHEREAS, a joint bill has been submitted in the State Senate and Assembly to authorize the Town of Cheektowaga to sell this property, and

WHEREAS, this Board wishes to request the State Legislature and Governor Cuomo to approve such legislation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the State Senate and Assembly to approve the Town's Home Rule Request for Senate Bill No. 3222-A/Assembly Bill No. 4872-A, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to submit the necessary copies of the Home Rule Request forms for such bill to the Home Rule Counsels for the State Senate and Assembly and copies of same to Senator Dale M. Volker and Assemblyman Paul A. Tokasz.

Upon Roll Call....

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

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

WHEREAS, on February 27, 1991, a rupture to the sanitary sewer force main at the Roycroft Pump Station occurred necessitating immediate repair, AND

WHEREAS, M.C. Morgan Contractors, Inc. was delegated to perform the required repair work as outlined in the attached memorandum of William R. Pugh, P.E., Assistant Town Engineer, dated April 30, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the voucher of M.C. Morgan Contractors, Inc., in the amount of \$29,914.31 for labor, equipment and materials required to make the necessary sewer repair, be and hereby is approved, AND BE IT FURTHER

RESOLVED, that payment for said emergency repair be and hereby is chargeable to Sewer District No. 5, Contracted Repairs, Budget Item #25-8125-0001-4543.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



M E M O

TO: William P. Rogowski, Chairman
Storm & Sanitary Sewer Committee

FROM: William R. Pugh, P.E.
Assistant Town Engineer

RE: Roycroft Pump Station

DATE: April 30, 1991

On Wednesday, February 27, 1991 Ted Brudz, Sewer Department Foreman, reported to this office that the 6" sanitary sewer force main at the Roycroft Pump Station had again ruptured and that the storm water by-pass pumps were activated to prevent back-up to the several hundred homes in the Cleveland Drive area tributary to the pump station. Sanitary sewer waters were then discharged by the storm sewer force main into the Cleveland Drive storm sewer system, and preparations were made to return the pump station to service as quickly as possible.

The Roycroft Pump Station was constructed in the late 1940's and this most recent rupture of the 6" cast iron sanitary sewer force main is the third break in a four (4) month timeframe. The previous repair to this pressure main occurred in November, 1990 and involved the installation of a repair clamp by a private contractor at a substantial expense of approximately \$10,000.

Because of the eleven foot depth of the force main, its location between structures, the difficulty of the repair and the need to act expeditiously, M.C. Morgan Contractors Inc. was engaged to make the needed repair. Excavation and pipe repair operations by said contractor began on Thursday, February 28, 1991. Upon exposing the cast iron main, we found that the rupture in the pipe was within a few feet of a previously installed repair clamp. Based on the age of this pipe, the need for repetitive repairs and the expense involved in making spot repairs, I consulted with Chet Bryan and representatives of Nussbaumer & Clarke and it was agreed that new ductile iron pipe should be installed to preclude the need to re-excavate for repairs in this area. New 6" ductile iron pipe was then installed from the pump station to the Roycroft Boulevard right-of-way comprising a length of approximately 150 L.F. The replacement of this portion of pipe with the stronger ductile iron pipe will avoid the repeated costly excavation and restoration of the pump station grounds and neighboring private residential property.

Work on site by M.C. Morgan continued from the start-up date to Tuesday, March 12, 1991, with the re-activation of the 6" force main occurring on Monday, March 11, 1991.

WRP:dms

Item No. 13a Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, on or about August 18, 1989, a 90-foot wide storm drainage easement over a certain triangular shaped parcel of land adjacent to the Woodlands at the Park Subdivision was given to the Town of Cheektowaga, and

WHEREAS, the State of New York presently is or shortly will be the owner of the aforesaid triangular shaped property; and personnel at the State Department of Environmental Conservation have requested that the easement be revised by reducing same from 90 feet to 25 feet, and

WHEREAS, the Town Engineer has reviewed the matter and has no objection to the reduction of the easement as proposed by the State, the same being in conformance with the Town's Drainage System Ordinance,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to sign a "Partial Release of Easement", reducing the storm drainage easement, described in a document recorded in the Erie County Clerk's Office in Liber 10062 of Deeds at page 369, from 90 feet in width to 25 feet in width, and IT IS FURTHER

RESOLVED, that the said "Partial Release of Easement" does not affect any other easement described in the Easement recorded in the Erie County Clerk's Office in Liber 10062 of Deeds at page 365 on August 18, 1989, and IT IS FURTHER

RESOLVED, that the Town Attorney is authorized to record the said "Partial Release of Easement" in the Erie County Clerk's Office, subject to any mandated period for a permissive referendum.

* * * * *

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO
PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 6th day of May, 1991, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

RESOLVED, that the Supervisor be and he hereby is authorized and directed to sign a Partial Release of Easement reducing the storm drainage easement over certain lands adjacent to the Reinstein Woods and Woodlands at the Park Subdivision from 90 feet in width to 25 feet in width. The storm drainage easement to be reduced is described in an instrument recorded in the Erie County Clerk's Office in Liber 10062 of Deeds at page 369.

DATED: May 6, 1991

Richard M. Moleski
Town Clerk
Town of Cheektowaga

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....May 9, 1991..... ;
last publication.....May 9, 1991..... ;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this9th.....

day ofMay....., 1991...

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/1/91

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION SUBJECT TO
PERMISSIVE REFERENDUM**

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RESOLVED that the Supervisor be and he hereby is authorized and directed to sign a Partial Release of Easement reducing the storm drainage easement over certain lands adjacent to the Reinstein Woods and Woodlands at the Park Subdivision from 90 feet in width to 25 feet in width. The storm drainage easement to be reduced is described in an instrument recorded in the Erie County Clerk's Office in Liber 10062 of Deeds at page 369.

DATED: May 6, 1991
RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA
PUBLISH: May 9, 1991

MEETING NO. 9
May 6, 1991

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

WHEREAS, All Weather Contractors, Inc. has submitted AIA Document G704, Certificate of Substantial Completion for roof replacement at the Reinstein Memorial Library, AND

WHEREAS, the firm of Scaffidi & Moore Architects has reviewed said Certificate of Substantial Completion with the date to start all warranties, as required by the Contract Documents, effective April 8, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes Supervisor Frank E. Swiatek to sign said Certificate of Substantial Completion, as submitted.

Upon Roll Call....

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

Item No. 13c Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the New York State Legislature has appropriated funds to the State Division of Criminal Justice Services for the purpose of financing the Anti-Drug Abuse Act, and

WHEREAS, the Town of Cheektowaga and the Town Police Department are interested in availing themselves of this funding, and

WHEREAS, the Town of Cheektowaga Police Department made application for funding through this program and the Town has been notified that it will be granted such funding in the amount of \$13,346 for the program period 6/1/91 - 9/30/92 provided the Town provides 25% matching funds (\$4,449), NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the above referenced Grant Award Agreement and any and all other documentation necessary to receive funding from the State Division of Criminal Justice Services, and BE IT FURTHER

RESOLVED, that the Town's matching funds in the amount of \$4,449 shall be appropriated from budget line item number 0100-3120-2205.

Upon Roll Call....

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

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

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

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

RESOLVED, that the Town Clerk be and hereby is authorized, empowered and directed to issue new/renewal licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

MEETING NO. 9
May 6, 1991

Item No. 14a continued

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>COMPANY</u>	<u>EMT EXPIRES</u>
Norek, Timothy		Town's Ambulance	May 31, 1993

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

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

RESOLVED, that the Town Board, pursuant to Section A-5 of the Ambulance Ordinance accept the recommendations of the Emergency Medical Services Board, and approve the following:

AMBULANCE LICENSES

<u>OWNER</u>	<u>VEHICLE: MAKE & MODEL</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
Town's Ambulance	1990 Chevrolet	AA 3265	567
Town's Ambulance	1985 Chevrolet	AA 1202	566
Town's Ambulance	1987 Ford	AB 7888	562
Town's Ambulance	1981 Chevrolet	AA 3261	558
Town's Ambulance	1987 Ford	AA 1220	555
Town's Ambulance	1982 Ford	AA 1201	559
Town's Ambulance	1986 Ford	AA 3262	565
Town's Ambulance	1987 Chevrolet	AA 1219	554
Town's Ambulance	1987 Ford	AA 1221	556
Town's Ambulance	1986 Chevrolet	AA 1232	563
Town's Ambulance	1986 Ford	AA 3023	557
Town's Ambulance	1987 Ford	AA 3022	564

and, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized, directed and empowered to issue ambulance licenses to the applicants set forth above, providing such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are terminated from the Youth and Recreational Services Department, effective immediately:

Paul Dennis
Robert Kowalewski
Sue Ring
Ben Dennis
Paul Lutz
Roy Schneiderman

Upon Roll Call....

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

Item No. 16 Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, by resolution, this Town Board established the job title of Light Motor Equipment Operator and Laborer's Aide, AND

WHEREAS, there is a need to create five (5) Light Motor Equipment Operator positions and four (4) Laborer's Aide positions, NOW, THEREFORE, BE IT

Item No. 16 continued

RESOLVED, that five (5) Light Motor Equipment Operator positions and four (4) Laborer's Aide positions be and hereby are created, pending jurisdictional classification from the Erie County Department of Personnel.

Upon Roll Call....

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

Item No. 17 Motion by Supervisor Swiatek, Seconded by Councilman Kulyk

WHEREAS, Teresa Golas, a Clerk-Typist, has absented herself from work, claiming a work-related illness specifically related to the work site, AND

WHEREAS, Article 26 of the Town of Cheektowaga Employees Association's collective bargaining agreement mandates that the Board shall make every effort to place an employee who becomes disabled on their present job on work which that employee is able to perform, NOW, THEREFORE, BE IT

RESOLVED, that effective April 15, 1991, Teresa Golas is hereby transferred to the Department of Youth and Recreational Services and a Clerk-Typist, at her present salary.

Upon Roll Call....

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

Item No. 18 Motion by Councilman Solecki, Seconded by Councilman Rogowski

WHEREAS, five (5) vacancies exist in the position of Light Motor Equipment Operator and four (4) vacancies in the position of Laborer's Aide in the Sanitation/Recycling Department, AND

WHEREAS, notice of such vacancies have been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, NOW, THEREFORE, BE IT

RESOLVED, that John Kremblas, Joseph Korabek,
Thomas Marten, Dale Galley,
and David Orlikowski, be and hereby are appointed to the
position of Light Motor Equipment Operator, effective immediately, in accordance
with the collective bargaining agreement between the Town and Town of Cheektowaga
Employees Association, AND, BE IT FURTHER

RESOLVED, that David Surdej, Jean Cadwallader,
Lynn Torgalski, and James Demler, be
and hereby are appointed to the position of Laborer's Aide, effective immediately,
also in accordance with the terms of the aforementioned collective bargaining
agreement.

Upon Roll Call....

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

Item No. 19 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, by Town Board resolution, School Crossing Guards in the Tier 1 Retirement System were allowed to retire on the stipulation that they be afforded the option to immediately be rehired, AND

Item No. 19 continued

WHEREAS, under Section 212 of the New York State and Local Retirement System, this action is allowed provided the rehired employee does not make over \$9,360 annually, NOW, THEREFORE, BE IT

RESOLVED, that the following School Crossing Guards be and hereby are rehired, effective immediately:

Margaret Blum
Mary Pardi
Alice Rydzynski

Upon Roll Call....

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

Item No. 20a Hiring of Part-time Employees in Sewer Department.
This item has been withdrawn.

Item No. 20b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

BE IT RESOLVED, that the following listed individuals be and hereby are hired as part-time employees, not to exceed 19 hours on an annual basis, for the Cheektowaga Youth & Recreational Services Soccer Program (01-7140-1611) at the designated titles:

Soccer Program Director - \$6.00 per hour

Paul Dennis

Soccer Instructor - Level I - \$4.75 per hour

Roy Schneiderman
Ben Dennis

Soccer Instructor - Level II - \$4.50 per hour

Susan Ring
Robert Kowalewski

Youth Soccer Supervisor - \$5.25 per hour

Maurice Desjardins

Soccer Instructor - Level I - \$4.75 per hour

Paul Lutz
Heather Chapp
Tim Kronenwetter
Joe Pace

AND, BE IT FURTHER

RESOLVED, that Matt Haberl of _____, was erroneously hired as a Soccer Instructor under line #7140.1611 and should be hired as a Soccer Supervisor at the rate of \$5.25 per hour, effective immediately, AND, BE IT FURTHER

RESOLVED, that Richard Andrzejewski of _____ be and hereby is hired as an Assistant Softball Coordinator under line #7140.1613, at a rate of \$5.50 per hour, effective immediately.

Upon Roll Call....

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

MEETING NO. 9
May 6, 1991

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

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

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour

Stephen Schottman	Immediately
John DiStefano	"
Jomark Garbatowicz	"
Ronald Cyrankowski, Jr.	"
Tom Glinski	"
Mark Pauly	"
David Klosko	"
Joseph Federowicz	"
Michael Kazmierczak	"
Michael Nawojski	"

Upon Roll Call....

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

Item No. 22 Motion by Councilman Rogowski, Seconded by Councilman Blachowski

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

GENERAL FUND

FROM:	0100-3120-2625	Police Forfeiture Revenues	\$ 7,712.16 R
	0100-1410-4001	Town Clerk Office Supplies	200.00 E
	0100-1910-4101	Unallocated Insurance	5,000.00 E
	0100-7310-1354	Youth-Rec Part Time Seasonal	13,017.00 E
TO:	0100-3120-2205	Police Crime Forfeitures	\$ 7,712.16 E
	0100-1410-4431	Town Clerk Equipment Maintenance	200.00 E
	0100-7310-1374	Youth-Rec Clerk-Typist	5,000.00 E
	0100-7310-1374	Youth-Rec Clerk-Typist	13,071.00 E

Upon Roll Call....

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

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

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to May 3, 1991, are hereby approved and made a part hereof:

GENERAL FUND	\$1,973,547.17
HIGHWAY FUND	628,931.64
TRUST & AGENCY FUND	202,721.86
CDBG HUD FUND	65,843.95
PART TOWN FUND	56,648.91
RISK RETENTION FUND	118,817.19
STATE AHC	6,642.80
HUD REHABILITATION FUND	21,175.10
DEBT SERVICE FUND	22,309.76
SPECIAL DISTRICTS	1,333,253.33
CAPITAL FUND	351,523.47
TOTAL	\$4,781,415.18

=====

MEETING NO. 9
May 6, 1991

Item No. 23 continued

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATION

Item No. 24 Building Permits.
Received and Filed.

Item No. 25 Minutes of Traffic Safety Commission - April 1991.
Received and Filed.

Item No. 26 Deloitte & Touche - Statement of Cash Receipts and Disbursements of
Receiver of Taxes and Assessments, the Town Clerk and the Town
Justices.
Received and Filed.

Item No. 27 Annual Financial Report for the Fiscal Year Ended 1990.
Received and Filed.

V. GENERAL COMMUNICATION

Item No. 28 Summons and Complaint: Nationwide Mutual Insurance Company/David
Draper vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Police
Department and Allied Claims Insurance Carrier.
Received and Filed

Item No. 29a Notice of Claim: Bradford O. Lewis vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department and Allied
Claims Insurance Carrier.
Received and Filed.

Item No. 29b Notice of Claim: Duane and Dorene Rowland, parents of Angela Rowland
vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Jim Burst,
Sewer Maintenance Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29c Notice of Claim: Dean Winkler vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J.
Kowal, Highway Superintendent and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29d Notice of Claim: Ezio Pietrantoni vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Police
Department and Allied Claims Insurance Carrier.
Received and Filed.

MEETING NO. 9
May 6, 1991

Item No. 29e Notice of Claim: Virginia K. Watson vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Police
Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 30 Petition Regarding the Closing of the Recreational Facilities.
Received and Filed.

* * * * *

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

Upon Roll Call....

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

* * * * *

VI. SUSPENSION OF RULES

Item No. 31 Motion by Councilman Kulyk, Seconded by Councilman Gabryszak

WHEREAS, John Lorek has made application and requested the Rezoning
from R-Residential District to RC-Restricted Business District for property located
at 501 Losson Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under
the provisions of the Zoning Ordinance on May 20, 1991 at 7:00 o'clock P.M., Eastern
Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union
Road.

AFFIDAVIT - NEXT PAGE

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

.....*Melanie Wolf*....., 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 9, 1991*..... ;
last publication.....*May 9, 1991*..... ;
and that no more than six days intervened be-
tween publications.

.....*Melanie Wolf*.....

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

day of*May*....., 19..*91*..

.....*Margaret J. Bourdette*.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/01

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 20th day of May, 1991 at 7:00 o'clock, P.M., Eastern Daylight Saving Time of said day for the purpose of considering the application of John Lorek to Rezone from R-Residential District to RC-Restricted Business District on property located at 501 Losson Road and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82-70 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 56, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING, at the intersection of the west line of lot number fifty-six (56) with the southerly line of Losson Road thence south along said west line of lot number fifty-six (56), 290 2/5 feet; thence east parallel with said south line of Losson Road 75 feet thence north parallel with the first mentioned boundary 290 2/5 feet to said south line of Losson Road and thence west along said south line of Losson Road 75 feet to the place of beginning, containing one-half (1/2) acre of land, with the exception of that parcel of land beginning at a point on the existing center line of Losson Road, C.R. No. 21 at the intersection of said center line with the division line between the property of John J. and Helen L. Lorek (reputed owners) on the east and the property of Universal Marion Corporation and L. E. Wolfson (reputed owners) on the west, said point being 6.95 +/- feet distant northerly measured at right angles from Station 45+56.30+/- of the hereinafter described new center line for the reconstruction of Losson Road, C.R. No. 21; thence easterly along said existing center line 75.00+/- feet to a point at the intersection of said center line with the division line between the property of John J. and Helen L. Lorek (reputed owners) on the west and property of William P. Blake and Gus Dotterweich (reputed owners) on the east, said point being 6.44+/- feet distant northerly measured at right angles from Station 46+31.30+/- of said new center line; thence southerly along the last mentioned division line 44.70+/- feet to a point; thence westerly through the property of John J. and Helen L. Lorek (reputed owners) 74.96+/- feet to a point on the first mentioned division line; thence northerly along said first mentioned division line 46.97+/- feet to the point of beginning, being 3440+/- square feet or 0.079 acre more or less gross area and 960+/- square feet or 0.022 acre more or less net area.

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

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk
PUBLISH: May 9, 1991

MEETING NO. 9
May 6, 1991

Item No. 32

Motion by Councilman Kulyk, Seconded by Councilman Rogowski to adjourn the meeting.

Richard M. Moleski
Town Clerk

PUBLIC HEARINGS
(held prior to Town Board meetings)

NO.

ITEM

Meeting No. 10 May 20, 1991

- 1 Rezoning of property at 501 Losson Road from R-Residential to RC-Restricted District.
- 2 Rezoning of property at 2409 Union Road from RA/RC Apartment District/ Restricted Business to RC-All Restricted Business District

Meeting No. 11 June 3, 1991

- 1 Special Permit to Operate an Ambulance Office, Store Equipment and Vehicle Maintenance for property at 3786 Broadway
- 2 Rezoning of 680 Cayuga Creek Road from R-Residential to RA-Apartment District

Meeting No. 13 July 1, 1991

- 1 Petition regarding Reconstruction of McNaughton Avenue

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

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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 20th day of May, 1991 at 7:30 o'clock P.M., Eastern Daylight Saving Time there were:

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

Also present were: Richard M. Moleski, Town Clerk; Robert Kaczmarek, Chief Accountant; Salvatore LaGreca, Chairman of Planning Board; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Greg Joos, Employee Relations Coordinator; Christopher J. Kowal, Highway Superintendent; and Ronald Marten, Building Inspector.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of repealing Chapter 42 of the Code of the Town of Cheektowaga, ("Liability of Town: Prior Notice Required") and the adoption of Local Law No. 1 of the Year 1991 entitled "A Local Law Providing for Written Notification of Defects and Obstructions on Town Property and Highways in the Town of Cheektowaga" hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

* * * * *

. LOCAL LAW NO. 1 OF THE YEAR 1991

A LOCAL LAW PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS AND OBSTRUCTIONS ON TOWN PROPERTY AND HIGHWAYS IN THE TOWN OF CHEEKTOWAGA.

This local law will provide that prior written notice must be given to the Town of Cheektowaga concerning defects and obstructions on Town property and highways, including streets, sidewalks and other facilities, before a civil action can be maintained against the Town. Requirements for such prior notice are contained in the local law.

A copy of the full text of Local Law No. 1 of the Year 1991 is on file in the Town Clerk's Office where it may be examined during regular business hours.

* * * * *

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

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting proposed local law entitled "A Local Law to Amend Local Law No. 2 of the Year 1986" of the Town of Cheektowaga hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

* * * * *

LOCAL LAW INTRO NO. 1991-2

A LOCAL LAW TO AMEND LOCAL LAW NO. 2 OF THE YEAR 1986

Section 78-11.A. Conversion of abandoned vehicles.
Any vehicle towed pursuant to this chapter or otherwise caused to be towed by the Town which shall become an abandoned vehicle may be converted to Town use pursuant to Section 1224(6) of the Vehicle and Traffic Law of the State of New York.

* * * * *

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

II. FROM THE TABLE

Item No. 4 Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on April 15, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VII

Turning Movements

76.74 No right on red.

The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

- B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:

Item No. 4 continued

The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Drive	Northbound	S.E. Corner
Isabelle Road	South	Applewood Road	Southbound	N.E. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

(3) The exclusion of county road(s) from Subsection A(1) shall not apply to the following named county road(s), which road(s) shall have an established speed limit of forty-five (45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the Section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Egert Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Road westerly to the Amherst Town line
Beach Road - from Genesee Street northerly to the Amherst Town Line
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village line southerly to the West Seneca Town Line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line

Item No. 4 continued

(ii) Roads to be posted 35 MPH

Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 952Q, northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State Route 277, westerly to the Buffalo City line
Indian Road - from Como Park Boulevard to Rowley Road

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Road to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to the south curbline of Madeira Drive extended.
Dubonnet Drive	east side	from the south curbline of Madeira Drive southerly to the Terminus
Farmingdale Road	west side	from the south curbline of Cleveland Drive to the south curbline of Greenway Boulevard extended
Peachtree Road	north side	from west curbline of Kaufman Road westerly 55 feet to a point
Ellicott Creek Rd	east side	from the north curbline of Aero Drive to a point 300 feet northerly

Item No. 4 continued

B. No parking anytime

- Countryside Lane south side from the east end of the west cul-de-sac to the west end of the east cul-de-sac
- Countryside Lane north-south leg east and west side, from the south curblineline of Como Park Boulevard to the north curblineline of Countryside Lane (east-west leg)
- Honorine Drive west side from the south curblineline of Como Park Boulevard southerly to dead end
- Hitchcock Drive east side from the south curblineline of Como Park Boulevard southerly to dead end

C. No parking here to corner

- Ellen Drive south side from the east curblineline of Terry Lane easterly 30 feet to a point.

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN ROGOWSKI TO TABLE ITEM NO. 4 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 5a Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Property Developer, Inc. applied for a Special Permit for used car sales and public garage on property located at 2009 William Street, 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

Item No. 6a Motion by Councilman Kulyk Seconded by Councilman Gabryszak

WHEREAS, Zbigniew J. Bielinski has made application and requested the rezoning of property located at 680 Cayuga Creek Road from R-Residential District to RA-Apartment District said applicant being the owner of the property aforementioned, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 3, 1991 at 7:00 o'clock P.M. Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Melanie Wells, 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 23, 1991* ;
last publication *May 23, 1991* ;
and that no more than six days intervened be-
tween publications.

Melanie Wells

Sworn to before me this *23rd*

day of *May*, 19*91*.

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 3rd day of JUNE, 1991 at 7:00 o'clock, P.M., Eastern DAY-LIGHT SAVING Time of said day for the purpose of considering the application of ZBIGNIEW J. BIELINSKI to Rezone from R-RESIDENCE District to RA-APARTMENT District on property located at 680 CAYUGA CREEK ROAD and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 82.70 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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. 66, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:

Beginning at a point in the center line of Cayuga Creek Road at the southwesterly line of lands conveyed to John Mysliwiec and wife by deed recorded in Erie County Clerk's Office in liber 3969 of Deeds page 578; thence northwesterly along said southwesterly line two hundred thirty-three (233) feet; thence northeasterly parallel with the center line of Cayuga Creek Road, seventy-three (73) feet; thence southeasterly parallel with the first described course two hundred thirty-three (233) feet to the center line of Cayuga Creek Road; thence southwesterly along the center line of Cayuga Creek Road, seventy-three (73) feet to the point of beginning.

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk
PUBLISH: May 23, 1991

Item No. 6b Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, Joseph H. Oddo has made application and requested a Special Use Permit to operate an ambulance office, store equipment and vehicle maintenance for property located at 3786 Broadway, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 3, 1991 at 7:00 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Melanie Uxley....., 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 23, 1991* ;
last publication *May 23, 1991* ;
and that no more than six days intervened be-
tween publications.

Melanie Uxley.....

Sworn to before me this *23rd*
day of *May*, 19*91*.....

Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/01

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 3rd day of JUNE, 1991 at 7:00 o'clock, P.M., Eastern DAY-LIGHT SAVING Time of said day for the purpose of considering the application of JOSEPH ODDO/TOWNS AMBULANCE for a Special Permit to operate ambulance office, store equipment and vehicle maintenance on property located at 3786 BROADWAY pursuant to Article VI and Section 82-33 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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 Nos. 2 and 10, Township 10, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the center line of Broadway at a point 140.094 feet east from the southwest corner of lands conveyed by Hattie Davis to Frederick Schwerdt and Gottlieb Berner by deed dated June 22, 1891, and recorded in Erie County Clerk's Office June 25,

1891, in Liber 635 of deeds, at page 403, thence northerly and parallel to the west line of lands conveyed by the above mentioned deed, 598.69 feet to the southerly line of Ellicott Road; thence easterly along the southerly line of Ellicott Road to an iron pipe in the northeast corner of lands conveyed by the above mentioned deed; thence southerly and along the east line of lands conveyed by above mentioned deed about 609.18 feet to the center line of Broadway; thence westerly along the center line of Broadway, 70 feet to the point or place of beginning;

EXCEPTED from the above premises and not being conveyed herein is the parcel conveyed by Frances Perak to American Telephone and Telegraph Company, a New York Corporation, by deed dated and recorded on August 3, 1965 in Liber 7138 of Deeds at Page 537 in the Erie County Clerk's Office; said parcel fronting on Ellicott Road, being 50 feet front and rear and 100 feet in depth.

PARCEL II

ALL THAT PLOT OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number two (2), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the center line of Broadway with the southeast corner of lands conveyed to William Davis by deed recorded in the Erie County Clerk's Office in Liber 97 of Deeds at page 99; thence northerly along the east line of lands conveyed to said Davis six hundred three and fifty hundredths (603.50) feet to the south line of Ellicott Road; thence easterly along the south line of Ellicott Road twenty (20) feet; thence southerly parallel with the east line of lands conveyed to said Davis six hundred three and fifty hundredths (603.50) feet to the center line of Broadway; thence westerly along the center line of Broadway, twenty (20) feet to the point or place of beginning.

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI
Town Clerk
PUBLISH: May 23, 1991

Item No. 6c Motion by Councilman Rogowski Seconded by Councilman Blachowski

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 3, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on May 23, 1991, said amendments being set forth in the Notice of Hearing.

* * * * *

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on June 3, 1991 at 7:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Duke Road	east-west leg	Duke Road	southbound	N.W. Corner
		north-south leg		

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

BROOKEDGE ROAD	north side	west from Borden Road, then north on east side, then west on north side, then east on south side.
HEATHER ROAD	south & east side	from the southeast curblines of Danbury Drive to the east curblines of Rosary Boulevard
OLD LOSSON ROAD	north side	from north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to include a cul-de-sac
OLD LOSSON ROAD	south side	from the north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

76-101 All-night parking.

Section 76-101 shall be amended as follows:

Item No. 6c continued

Delete the words "November 1 to April 1" and substitute the words "December 1 to March 1" or "November 15 to March 15."

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

BROOKEDGE ROAD north side of the inbound roadway westerly from the west curblines of Borden Road, then along the outside perimeter of Brookedge Road to the south side of the outbound roadway, then easterly to the west curblines of Borden Road.

OLD MARYVALE DRIVE south & east side from the southeast curblines of Danbury Drive to the east curblines of Rosary Boulevard.

CRABAPPLE LANE north side from the north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

CRABAPPLE LANE south side from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

C. No parking here to corner

ROWAN ROAD south side from east curblines of Ivanhoe Road easterly for 50 feet.

F. Miscellaneous parking signs

(15) No stopping

DUKE ROAD east & west side from the south curblines of Walden Avenue to the north curblines of Duke Road (east-west leg).

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

RICHARD M. MOLESKI,
Town Clerk

DATED: May 20, 1991

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf....., 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 23 1991* ;
last publication *May 23 1991* ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....

Sworn to before me this *23rd*.....

day of *May*....., 19*91*.....

Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/01

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on June 3, 1991 at 7:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

Section 76-80. Stop intersections designated, shall be amended by adding hereto the following:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Duke Road	east-west leg	Duke Road north-south leg	southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

BROOKEDGE ROAD	north side	west from Borden Road, then north on east side, then west on north side, then east on south side.
HEATHER ROAD	south & east side	from the southeast curblines of Danbury Drive to the east curblines of Rosary Boulevard.
OLD LOSSON ROAD	north side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.
OLD LOSSON ROAD	south side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

76-101 All-night parking.

Section 76-101 shall be amended as follows:

Delete the words "November 1 to April 1" and substitute the words "December 1 to March 1" or "November 15 to March 15."

Section 76-101 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

BROOKEDGE ROAD	north side	of the inbound roadway westerly from the west curblines of Borden Road, then along the outside perimeter of Brookedge Road to the south side of the outbound roadway, then easterly to the west curblines of Borden Road.
OLD MARYVALE DRIVE	south & east side	from the southeast curblines of Danbury Drive to the east curblines of Rosary Boulevard.
CRABAPPLE LANE	north side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.
CRABAPPLE LANE	south side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

C. No parking here to corner

ROWAN ROAD	south side	from east curblines of Ivanhoe Road easterly for 50 feet.
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F. miscellaneous parking signs

(15) No stopping

DUKE ROAD (north-south leg)	east & west side	from the south curblines of Walden Avenue to the north curblines of Duke Road (east-west leg).
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTO-
WAGA, ERIE COUNTY, NEW YORK

Dated: May 20, 1991
RICHARD M. MOLESKI

MEETING NO. 10
May 20, 1991

Item No. 7 Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening on May 10, 1991 for the Reconstruction of McNaughton Avenue, and

WHEREAS, said bids were reviewed and tabulated by the Highway Superintendent, and an analysis, tabulation and report was submitted in the letter from the Town Highway Superintendent to the Town Board dated May 16, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Reconstruction of McNaughton Avenue be awarded to DiPizio Construction Co., Inc. of 100 Stradtman Road, Cheektowaga, New York 14227 at a cost of \$898,000., being the lowest responsible bidder for this project, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board sign the agreement with said contractor for the Reconstruction of McNaughton Avenue and related work, AND, BE IT FURTHER

RESOLVED, that funding for this work is to be made under Bond Resoluton of the Town of Cheektowaga, New York, adopted August 6, 1990 authorizing the Reconstruction and Resurfacing of Various Streets within said Town, line item 5014-5132-0315.

* SEE ATTACHED LETTER

Upon Roll Call....

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

Highway Department

3145 Union Road
Cheektowaga, NY 14227-1083
716 / 686-3450
Mobile: 716 / 863-5867

Christopher J. Kowal
Superintendent of Highways



May 16, 1991

SUPERVISOR FRANK E. SWIATEK
TOWN BOARD MEMBERS
CHEEKTOWAGA NY 14227

Re: McNaughton Road re-construction Project

Dear Town Board Members:

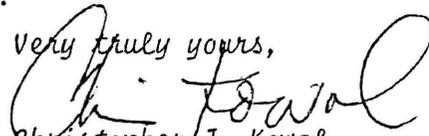
At a public bid opening on May 10, 1991, bids were received and publicly opened for the McNaughton Avenue Reconstruction Project. Listed below are the bidders and their construction costs as follows:

DiPizio Cons. Co., Inc., 100 Stradtman Rd., Cheektowaga (14227)	\$898,000.
Falcone Concrete, 15 Loma Ln., Tonawanda (14150)	902,442.
R & R Contracting, 2730 Transit Rd., W Seneca (14224)	902,932.
Lebis Conc. Inc. Reg., 261 Massachusetts Avenue, Buffalo (14213)	911,120.
Anastasi Trucking, 6495 Transit Rd., Bowmansville (14026)	918,609.
Amherst Paving Inc., 330 Meyer Rd., Amherst (14226)	922,637.
Hartford Paving Corp., 3409 Broadway, Cheektowaga (14225)	936,341.
Mar Wal Cons., Co., Inc., 440 Gould Avenue, Depew (14043)	962,838.
Tom Greenauer, P.O. 250, Springbrook NY (14140)	1,036,160.
C.W. Roadway Inc., 2601 Millersport Highway, Getzville (14068)	1,085,705.
Surinnello Gen Const, 635 Wyoming Ave., Buffalo (14215)	1,176,122.
M. Falgiano Cons. Co., Inc., 95 Leslie St., Buffalo (14211)	1,212,298.

All the bids received were reviewed, tabulated and checked by Donald Gallo, the Consulting Engineer for the project, and myself and it is our recommendation that the bid be awarded to DiPizio Construction Co., Inc. being the lowest responsible bidder for the project.

Line item to be used will be specified in resolution.

Very truly yours,


Christopher J. Kowal
Highway Superintendent

CJK;erp

CC: Board Members
Town Attorney
Town Clerk
Engineering Dept.
Highway Engineer

Donald Gallo, Consulting Engineer, P.C.

260 Elmwood Avenue
Buffalo, New York 14222
(716) 883-1234

May 16, 1991

Town of Cheektowaga
Highway Department
3145 Union Road
Cheektowaga, N.Y. 14227

Attn: Mr. Christopher J. Kowal
Highway Superintendent

Re: Town of Cheektowaga
McNaughton Avenue Reconstruction
DG No. 019-054-3
Recommendation of Award

Dear Mr. Kowal,

The Bids received at the Bid Opening on May 10, 1991, at 11:00 a.m. are summarized on the attached Bid Tabulation.

After reviewing the bids, we recommend award of this Contract to DiPizio Construction Co., 100 Stradtman Road, Cheektowaga, New York, 14227 in the amount of \$898,000.00.

Very truly yours,

DONALD GALLO, CONSULTING ENGINEER, P.C.



Donald D. Gallo, P.E.

DDG/lis

Attachment

Item No. 8a Motion by Councilman Rogowski Seconded by Councilman Jaworowicz

WHEREAS, it is in order that bids be advertised to cover the application of chemical root control agent to sanitary sewer lines in various locations in the Town of Cheektowaga, AND

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE,
BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the application of a chemical root control agent to sanitary sewer lines, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on June 3, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 3, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the application of chemical root control agent to sanitary sewer lines in the Town of Cheektowaga.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York.

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

RICHARD M. MOLESKI,
Town Clerk

DATED: May 20, 1991

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

20

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....May 23, 1991.....;
last publication.....May 23, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this23rd.....

day ofMay....., 19.....91

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 3, 1991 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the application of a chemical root control agent to sanitary sewer lines in the Town of Cheektowaga.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York.

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

Richard M. Moleski
Town Clerk

DATED: May 20, 1991

PUBLISH: May 23, 1991

LD
580

Item No. 8b Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is sponsoring two (2) summer day camps for developmentally disabled children ("Camp Crabapple" and Camp JI-IK-DO-WAH-GAH) from July 8, 1991 to August 16, 1991, 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 8, 1991 to August 16, 1991, said Notice shall be published in the May 23, 1991 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 Road, Cheektowaga, New York, until 11:00 a.m. on Wednesday, June 5, 1991, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Clerk is hereby designated to publicly open and read sealed bid proposals at 11:00 a.m. on Wednesday, June 5, 1991.

* * * * *

NOTICE TO BIDDERS

PROPOSALS

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York, until 11:00 a.m., Eastern Daylight Saving Time, on Wednesday, June 5, 1991 for the furnishing of daily transportation to and from two day camp programs for developmentally disabled children and learning disabled children to be located at the Alexander Street Community Center, 275 Alexander Avenue, (near Straley Avenue) Cheektowaga, New York. Included in the bid should be the use of three full-size school buses and one wheel chair van. Please bid separately on the buses and on the wheel chair van, which will be utilized only if warranted by enrollment. Clients will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning July 8, 1991 through August 16, 1991. Arrival time at camp is scheduled for 9:30 a.m. Dismissal and take home is scheduled for 2:30 p.m. Also included in the bid should be transportation for five weekly field trips to and from various points of interest in the Western New York area.

Information for bidders may be obtained from the camp's Program Coordinator at the Cheektowaga Youth and Recreation Department (275 Alexander Avenue) 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

* * * * *

Item No. 8b continued

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

Melanie Wolf, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clear 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 23, 1991* ;
last publication *May 23, 1991* ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this *23rd*

day of *May*, 19*91*

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE TO BIDDERS
PROPOSALS**

Sealed bid proposals will be received and considered at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York, until 11:00 a.m. Eastern Daylight Time, on Wednesday, June 5, 1991 for the furnishing of daily transportation to and from two day camp programs for developmentally disabled children and learning disabled children to be located at the Alexander Street Community Center, 275 Alexander Avenue, (near Straley Avenue) Cheektowaga, New York. Included in the bid should be the use of three full-size school buses and one wheel chair van. Please bid separately on the buses and on the wheel chair van, which will be utilized only if warranted by enrollment. Clients will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning July 8, 1991 through August 16, 1991. Arrival time at camp is scheduled for 9:30 a.m. Dismissal and take home is scheduled for 2:30 p.m. Also included in the bid should be transportation for five weekly field trips to and from various points of interest in the Western New York area.

Information for bidders may be obtained from the camp's Program Coordinator at the Cheektowaga Youth and Recreation Department (275 Alexander Avenue) 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 Cheektowaga, Erie County, New York.

Richard Moleski
Town Clerk

PUBLISH: May 23, 1991

5
2/83

May 20, 1991

Item No. 9 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 830 Borden Road, Cheektowaga, New York, SBL #114.20-9-12 and according to the Assessor's Office is owned by the County of Erie, 95 Franklin Street, Buffalo, New York 14202, 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 Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki Rogowski and Blachowski

NAYES: 0

ABSENT: 0

Item No. 10 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga has received another notification of an unsafe, abandoned structure at 830 Borden Road, Cheektowaga, New York, S.B.L. #114.20-9-12 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors' Office is owned by the County of Erie, 95 Franklin Street, Buffalo, New York 14202 AND

WHEREAS, the Erie County Deputy Commissioner of Finance, has authorized the Town of Cheektowaga Housing Inspector to take immediate steps to board over and secure all openings in this structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings in this structure be boarded over and secured and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Osmose Wood Preserving, Inc., 980 Ellicott Street, Buffalo, N.Y., 14209, has submitted application for final payment for Wood Laminate Repairs at the Reinstein Memorial Library, AND

WHEREAS, Scaffidi & Moore Architects has reviewed and approved the Contractor's Affidavit of Payment of Debts and Claims, Contractor's Affidavit of Release of Liens, Consent of Surety to Final Payment, Asbestos Statement and Wage and Supplement Affidavit as being in compliance with the terms of the contract specifications, AND

WHEREAS, the Certificate of Substantial Completion has previously been established as October 18, 1991, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes final payment to Osmose Wood Preserving, Inc., 980 Ellicott St., Buffalo, N.Y., 14209, in the amount of \$3088.00 for Wood Laminate Repairs at the Reinstein Memorial Library.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 12a Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, U & S Services has submitted a proposal to furnish and install an Automatic Temperature Control System at the Cheektowaga Senior Citizens Center, at a cost not to exceed \$4,360.00, AND

WHEREAS, Babinsky-Klein Engineering, P.C. has reviewed said proposal from U & S Services and has recommended acceptance of the proposal, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves Change Order #1, as submitted by U & S Services, to furnish and install an Automatic Temperature Control System at the Cheektowaga Senior Citizens Center in the amount not to exceed \$4,360.00, AND BE IT FURTHER

RESOLVED that funds for said action are available from Capital Improvement Account #5912-1625-1100.

Upon Roll Call....

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

Item No. 12b Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, Wittburn Enterprises Inc., has previously been retained, by resolution, to furnish and install Sports Lighting at Stiglmeier Park ball diamonds, No. 1, No. 2 and No. 3, AND

WHEREAS, the existing high voltage switchgear requires the installation of three (3) fuse holders with mount assembly and three (3) end fittings, AND

WHEREAS, Wittburn Enterprises Inc. has submitted Change Order No. 1 to furnish and install three (3) 200 amp, 15 KV fuse holders, three (3) end fittings, 15 KV silencers and fuse elements at a cost of \$4,020.00, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves Change Order No. 1 as submitted by Wittburn Enterprises, Inc., 36 Cypress St., Buffalo, N.Y., 14204 in the amount of \$4,020.00, AND, BE IT FURTHER

RESOLVED that the funds for said action are available from Capital Improvement Account #5818-7110-1102.

Upon Roll Call....

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

Item No. 13a Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, by resolution dated September 18, 1989 this Town Board accepted a drainage easement covering property located at 77 Baywood Drive, and

WHEREAS, such easement was thereafter filed in the Erie County Clerk's Office on October 20, 1989, and

WHEREAS, due to a surveying error, the owner of such property has located a house over the easterly one (1) foot of this drainage easement and has requested that the Town discharge said one foot of the easement area, and

WHEREAS, the Town Engineering Department has reviewed this request and has no objection to the granting of same, NOW, THEREFORE, BE IT

Item No. 13a continued

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Discharge and Release of Easement form, and BE IT FURTHER

RESOLVED that this Release and Discharge of Easement is subject to permissive referendum under Article 7 of the Town Law, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached "Notice of Adoption of Resolution Subject to Permissive Referendum" in the Cheektowaga Times.

* * * * *

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on May 20, 1991, adopted a resolution authorizing the discharge of a portion of a drainage easement over property located at 77 Baywood Drive in the Town. A brief description of the easement area to be discharged is as follows:

The easterly one (1) foot of the westerly 12.5 foot-wide drainage easement over 77 Baywood Drive (a/k/a Sublot 38 of Map Cover 2250).

A copy of the discharge and release of easement form for such property is available in the Town Clerk's Office at the Town Hall, Broadway & Union Road, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: May 20, 1991

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

RICHARD M. MOLESKI,
Town Clerk

* * * * *

* See Next Pages for Easement

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

DISCHARGE AND RELEASE

OF

EASEMENT

THIS INDENTURE, made and entered into as of the 21st day of May, 1991 by and between the TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, Cheektowaga, New York, hereinafter referred to as the party of the first part, and

PIOTROWSKI BUILDERS, INC., a domestic corporation having its office at _____, Cheektowaga, New York, County of Erie and State of New York, hereinafter referred to as the party of the second part.

W I T N E S S E T H:

That the party of the first part, in consideration of the sum of One and No/100 (\$1.00 and no more) Dollar and other good and valuable consideration paid by the party of the second part, does hereby release, remit and quitclaim unto the party of the second part, its successors and assigns forever the following described easement:

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 48, Township 10, Range 7 of the Buffalo Creek Reservation and, according to a map filed in the Erie County Clerk's Office under Cover No. 2550, is known

and distinguished as the easterly one (1.0) foot of the westerly
12.5-foot-wide drainage easement conveyed to the party of the first
part for Sublot 38 of said Map Cover, as filed in the Erie County
Clerk's Office on October 20, 1989 in Liber 10093 of Deeds at Page 60.

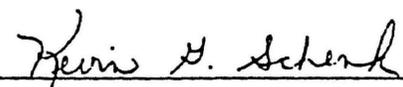
IN WITNESS WHEREOF the party of the first part has caused its corporate
seal to be hereunto affixed and these presents to be signed by its duly autho-
rized officer this 21st day of May, 1991.

TOWN BOARD, TOWN OF CHEEKTOWAG

By: 
Supervisor

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:
TOWN OF CHEEKTOWAGA)

On the 21st day of May, 1991, before me came FRANK E. SWIATEK
to me known, who, being by me duly sworn, did depose and say that he resides
at 22 Ely Drive, Depew, New York; that he is the Supervisor of the Town of Cheektowaga,
the municipal corporation described in, and which executed the foregoing Discharge
and Release of Easement; that he knows the seal of said municipal corporation;
that the seal affixed to said instrument is such corporate seal; that it was
affixed by order of the Town Board of said municipal corporation; and that he
signed his name thereto by like order.



KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1993

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

.....Melanie Walf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....May 23, 1991..... ;
last publication.....May 23, 1991..... ;
and that no more than six days intervened be-
tween publications.

.....Melanie Walf.....

Sworn to before me this23rd.....

day ofMay....., 19.....91.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION SUBJECT TO
PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on May 20, 1991, adopted a resolution authorizing the discharge of a portion of a drainage easement over property located at 77 Baywood Drive in the Town. A brief description of the easement area to be discharged is as follows:

The easterly one (1) foot of the westerly 12.5 foot-wide drainage easement over 77 Baywood Drive (a/k/a Sublot 38 of Map Cover 2550).

A copy of the discharge and release of easement form for such property is available in the Town Clerk's Office at the Town Hall, Broadway & Union Road, Cheektowaga, New York, where same may be examined during regular business hours.

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

Dated: May 20, 1991

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: May 23, 1991

31
1412
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Item No. 13b Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga, for the past several years, has participated in the Temporary Emergency Food Assistance Program which is administered by the Community Action Organization of Erie County, Inc. ("CAO"), and

WHEREAS, the CAO has notified the Town that it has changed the application form and agreement for the receipt of government donated food, and

WHEREAS, such revised application form and agreement are acceptable to this Town Board, and

WHEREAS, this Town Board desires to continue participation in the Temporary Emergency Food Assistance Program, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached application and agreement for the receipt of government donated food from the CAO.

* See next page

Upon Roll Call....

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

COMMUNITY ACTION ORGANIZATION OF ERIE COUNTY

APPLICATION TO RECEIVE GOVERNMENT DONATED FOOD

PLEASE PRINT

THE ORGANIZATION NAMED BELOW MAKES APPLICATION FOR RECEIPT OF GOVERNMENT DONATED FOODS AND SUBMITS THE FOLLOWING INFORMATION IN SUPPORT THEREOF:

Name Of Organization: Town of Cheektowaga

Address: 3349 Broadway, Cheektowaga, New York Zip Code: 14227

County: Erie Telephone Number: 716-684-0121

Organization's method of determining a client need: Based on CAO guidelines, proof of income eligibility and residency is required at the time of application. This is followed by an annual update.

Number of needy persons (not number of families) you anticipate serving: 6,000

Are you now receiving Government Donated Food? Yes No

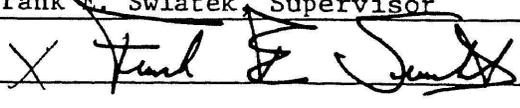
From what source? Erie County CAO

Is your organization able to provide proper storage and refrigeration facilities and to have pick up of food made in vehicles which are sanitary and adequate? Yes No

Actual location(s) of storage site(s) Senior Citizen Center, 3349 Broadway, Cheektowaga, New York (Attach separate sheet if necessary.)

Actual location(s) of distribution site(s) Senior Citizen Center, 3349 Broadway, Cheektowaga, New York (Attach separate sheet if necessary.)

PRINT NAME: Frank E. Swiatek, Supervisor

SIGNATURE: X 

TITLE: Supervisor

DATE: 5/20/91

This application should be returned to Neighborhood Services Department
Nutrition Component - 70 Harvard Place
Buffalo, New York 14209
Att. Angeline Costner

AC:cp

A G R E E M E N T

In consideration of the foodstuffs received from the Community Action Organization of Erie County, Inc. (CAO), I, the undersigned, on behalf of
TOWN OF CHEEKTOWAGA

The Organization

agree that:

- (1) the Organization will distribute foodstuffs to only eligible individuals in our service area as per the guidelines attached to and made a part of this agreement;
- (2) the Organization will distribute the foodstuffs to only those individuals who supply the necessary proof of eligibility;
- (3) the Organization will deliver at the end of each month of the Organization's participation, such reporting forms to CAO as the CAO may require, including the CAO 100-A.
Failure to timely do so will result in a suspension from the Program.
- (4) the foodstuffs the Organization is receiving are in packages which are to remain sealed and unopened;
- (5) the Organization will not place the foodstuffs on any floor, or store them in any area, that is unsafe or unsanitary for the storage of food;

- (6) CAO is not responsible for any loss or damage to the foodstuffs once the Organization receives them;
- (7) the Organization will appoint the following individuals or individual to pickup and deliver the foodstuffs and be responsible for the transporting and delivery done by them:
CAO will deliver the foodstuffs directly to the Organization at the Organization's designated storage site(s) at no cost to the Organization.
- (8) the Organization will distribute the foodstuffs sealed and untouched in their original packages and will not, at any time, subdivide into smaller portions;
- (9) the Organization will provide an accurate accounting, on forms provided by CAO, at the end of each month of its participation, in the disposition of foodstuffs received from CAO including: foodstuffs given to clients, foodstuffs returned to CAO and foodstuffs disposed of by the Organization due to contamination or spoilage. The Organization agrees that the characterization of foodstuffs received as spoiled or contaminated is the responsibility of the Organization; however, the Organization may not dispose of such foodstuffs without the approval of CAO;
- (10) the Organization will maintain copies of the distribution records for three (3) years from the date of their making.

FRANK E. SWIATEK
NAME (Please Print)

SUPERVISOR
TITLE

TOWN OF CHEEKTOWAGA
ORGANIZATION

SIGNATURE

5/20/91
DATE

JULIAN B. DARGAN, EXECUTIVE DIRECTOR
for the Community Action Organization
of Erie County, Inc.

DATE

Item No. 13c Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is operating vans available through the County of Erie, and

WHEREAS, the Town desires to furnish van services as stated in the contracts submitted by the County, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is authorized to sign all said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1991.

Upon Roll Call....

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

Item No. 13d Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga Police Department is in need of a drug detector dog to assist the department in the enforcement of State and Federal laws pertaining to the possession/sale of controlled substances, and

WHEREAS, Amsel Training Kennels has agreed to provide a trained drug detector dog and train a Town police officer to handle such dog pursuant to the terms of the attached agreement for a fee of \$4,900.00, and

WHEREAS, moneys for such dog training services have been appropriated and are available in the Town budget, and

WHEREAS, grant moneys from the State Division of Criminal Justice Services will also become available to be used towards the purchase of such drug detector dog, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Amsel Training Kennels, and BE IT FURTHER

RESOLVED that the moneys required under such agreement are to be appropriated from budget line item number 0100-3120-2205.

* See next page for agreement

Upon Roll Call....

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

THIS AGREEMENT

MADE this 1st day of June, 1991 by and between

TOWN OF CHEEKTOWAGA

a domestic municipal corporation, having its principal place of business in
Town Hall, Broadway & Union Roads, in the Town of Cheektowaga,
County of Erie and State of New York,
(hereinafter referred to as "TOWN"),

Party of the First Part,

and

OWEN C. TOBOR

d/b/a AMSEL TRAINING KENNELS

a business owned by one Owen C. Tobor under the laws of the
State of New York and having a business address located at
5149 Crittenden Road, in the Village of Akron,
County of Erie and State of New York,
(hereinafter referred to as "AMSEL")

Party of the Second Part,

WHEREAS, AMSEL submitted a proposal to the TOWN February 21, 1991 to
train and provide one drug detector dog to the TOWN and train its handler.

NOW, THEREFORE, for and in consideration of the mutual promises and
agreements between the parties hereto,

IT IS AGREED AS FOLLOWS:

1. Purpose

The purpose of AMSEL's duties is to train a drug detector dog for the TOWN Police

Department and render training to its handler, who will be a member of the Cheektowaga Police Department. The objective of this training is to provide the TOWN Police Department with a trained drug detector dog and handler who will then be utilized by the department in the enforcement of State and Federal criminal laws pertaining to the possession/sale of controlled substances and marihuana as those terms are defined by said laws.

2. Pursuant to the terms of this Agreement, AMSEL will sell to the TOWN one completely trained drug detector dog between the age of 1 to 4 years with a working life expectancy of 6 to 8 years with no current medical problems. AMSEL further agree to train this dog in the active alert mode to detect the following controlled substances and marihuana:

- A. Marihuana
- B. Hashish
- C. Cocaine (to include crack)
- D. Heroin

Such training will be done in accordance with standards established by the New York State Division of Criminal Justice Services for Drug Detector Dogs.

3. AMSEL guarantees the health of the dog purchased for 12 months after its purchase and will perform a complete medical examination of the animal prior to it being turned over to the TOWN. AMSEL further guarantees that the dog purchased is free of any existing medical problems and has been checked by a veterinarian employed by AMSEL prior to its purchase by the TOWN and further agrees to have the animal checked by AMSEL's veterinarian prior to its departure from AMSEL's site. AMSEL further agrees and guarantees that if the dog develops any medical problems during the first 12 months and it is determined that the problem existed at the time of delivery AMSEL will, at no cost to the TOWN, provide a

replacement drug detector dog to the TOWN.

4. AMSEL further guarantees and agrees that, if it is determined that there are problems with the dog's performance, (due to facts other than a lack of proficiency training) within 12 months after its purchase by the TOWN, AMSEL will replace the dog with another fully trained dog pursuant to the terms of this Agreement. AMSEL further guarantees and certifies that the dog turned over to the TOWN will meet or exceed the standards set down by the New York State Department of Criminal Justice Services "DCJS" for Drug Detector Dogs.

5. In the event the dog ceases to perform under normal and customary conditions, or ceases to work altogether, and this occurs within the first 12 months of purchase, AMSEL agrees to provide a trained replacement dog free of charge.

6. AMSEL further agrees to evaluate and recertify the dog provided within six months of its being turned over to the TOWN and then annually certify the animal. AMSEL also further agrees to assist the TOWN in obtaining New York State Certification for the animal. The cost of all such certifications and evaluations is not included in the terms of this Agreement but will be determined at the time the TOWN elects to have the dog recertified and re-evaluated by AMSEL.

7. For and in consideration of the mutual promises and agreements contained herein, and for the price to be further mentioned in paragraph 8 of this Agreement, AMSEL further agrees to train a dog handler, provided by the TOWN in accordance with DCJS standards. In return, the TOWN agrees to provide a handler who is to attend no less than twenty (20) days

of training at AMSEL after the dog is trained. AMSEL does not guarantee the graduation of the handler. The TOWN understands that the handler must pass any written tests and performance evaluations as determined by AMSEL's requirements.

8. The TOWN shall pay AMSEL the sum of four thousand nine hundred dollars (\$4,900.00) for services rendered by AMSEL under this Agreement.

9. The acceptance of payment by AMSEL shall operate as a release to the TOWN of all claims and liability for all things done or performed for or relating to work performed under this Agreement.

10. This TOWN may, in its option, declare AMSEL in default and cancel this Agreement for any of the following reasons:

- A. Failure by AMSEL to begin work, training and selecting a dog and handler within (4) months of the execution of this Agreement.
- B. In the event that AMSEL become insolvent.
- C. In the event that proceedings in bankruptcy are instituted by or against AMSEL.
- D. If proceedings supplementary to judgement are issued against AMSEL.

11. AMSEL shall not assign, transfer, convey, or otherwise transfer this agreement, or any part thereof, or any right, title or interest thereunder without the prior written consent of the TOWN. Any such purported action without such consent shall be null and void.

12. AMSEL is not, nor shall be deemed, nor hold itself out as, a department, agency, employee, bureau, board or agent of the TOWN. Moreover, employees of AMSEL shall not be deemed to be or hold himself out as such. AMSEL acknowledges that it is acting as an independent contractor under this agreement.

13. Any payment to AMSEL hereunder or any other act or failure of the TOWN to insist upon performance of the material terms and conditions of this Agreement shall not constitute or be construed in any way as a waiver by the TOWN of any breach of covenant or default which may be committed by AMSEL. Neither shall such payment, act or omission in any manner impair or prejudice any right, power, privilege or remedy available to the TOWN to enforce its rights hereunder, which rights, powers, privileges or remedies are always specifically reserved. No representative or agent of the TOWN may waive this provision without the consent and concurrence of the TOWN Attorney.

14. In the event there is a dispute as to the performance of the dog or any of the other terms of this Agreement, TOWN and AMSEL agree to submit such dispute to an independent third party for resolution.

15. This Agreement shall constitute the entire Agreement between the parties. Any agreement, assertion, statement, understanding or other commitment antecedent to this Agreement whether written or oral, shall have no force or effect whatsoever; nor shall any agreement, assertion, statement, understanding or other commitment occurring during the term of this Agreement, or subsequent thereto, have any legal force or effect whatsoever, unless properly executed in writing and, the appropriate, recorded as an addendum or amendment to

this Agreement.

16. If any provision of this Agreement is held to be invalid, illegal or unenforceable under any applicable laws, the remainder shall remain in full force and effect and continue to conform with the original intent of the parties hereto.

17. This Agreement and all provisions herein are subject to the appropriation of funds by the Town Board of the Town of Cheektowaga.

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

THE TOWN OF CHEEKTOWAGA

[Seal]

By:

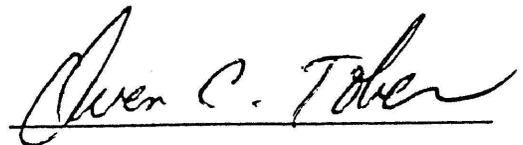


FRANK E. SWIATEK
Its Supervisor

AMSEL TRAINING KENNELS

[Seal]

By:



OWEN C. TOBOR
Its Owner

STATE OF NEW YORK)
COUNTY OF ERIE)
TOWN OF CHEEKTOWAGA) SS:

On this 30th day of May 1991, before me, personally came FRANK E. SWIATEK, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, New York; that he is the Supervisor of the Town of Cheektowaga, New York; that he knows the seal of said Town; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

Kevin G. Schenk

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1993

ACKNOWLEDGEMENT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
VILLAGE OF AKRON)

On this 22nd day of MAY 1991, before me, the subscriber, personally appeared OWEN C. TOBOR to me known, who, being by me duly sworn, did depose and say: that he resides in the Village of Akron, New York described in and that he is the Owner d/b/a AMSEL TRAINING KENNELS, the business described in and which executed the foregoing instrument; and that he signed his name thereto by like order.

Michael J. McLaughlin

Notary Public, Erie County, N.Y.

My commission expires ~~12-31-91~~
5-11-93

NOTARY PUBLIC STATE OF
NEW YORK, QUALIFIED IN
ERIE COUNTY. MY COMMISSION
EXPIRES 5-11-93.

Item No. 13e Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga is interested in making improvements to Town Park, and

WHEREAS, 50% of the monies needed to undertake this project are available from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Land and Water Conservation Fund; NOW, THEREFORE, BE IT

RESOLVED that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to enable the Town to apply for a grant from this program, and BE IT FURTHER

RESOLVED: that, Frank E. Swiatek, the Supervisor, is authorized and directed to file an application on forms prescribed by the New York State Office of Parks, Recreation and Historic Preservation for financial assistance in accordance with the provision the Land and Water Conservation Fund, in an amount not to exceed \$250,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for the Town Park Development Project.

Upon Roll Call....

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

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

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

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

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue new/renewal licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

* See attached list

Upon Roll Call....

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

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>NAME</u>	<u>ADDRESS</u>	<u>COMPANY</u>	<u>EMT EXPIRES</u>
Brian Wakoff		Town's	4/30/94
Timothy Bull		Town's	4/30/94

Item No. 15a Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, property located on the southwest corner of Transit Road and Strasmer Avenue is in the process of being developed, and

WHEREAS, the Town Engineering Department has requested that the Town obtain a storm sewer easement across this property from the owner, and

WHEREAS, the owner has submitted a storm sewer easement to the Town, which easement is acceptable to the Town, NOW, THEREFORE, BE IT

RESOLVED that the attached storm sewer easement be and hereby is accepted by this town, and BE IT FURTHER

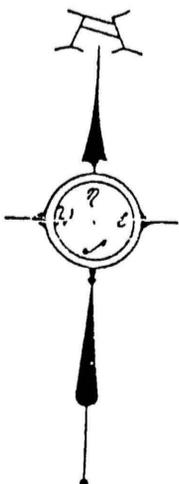
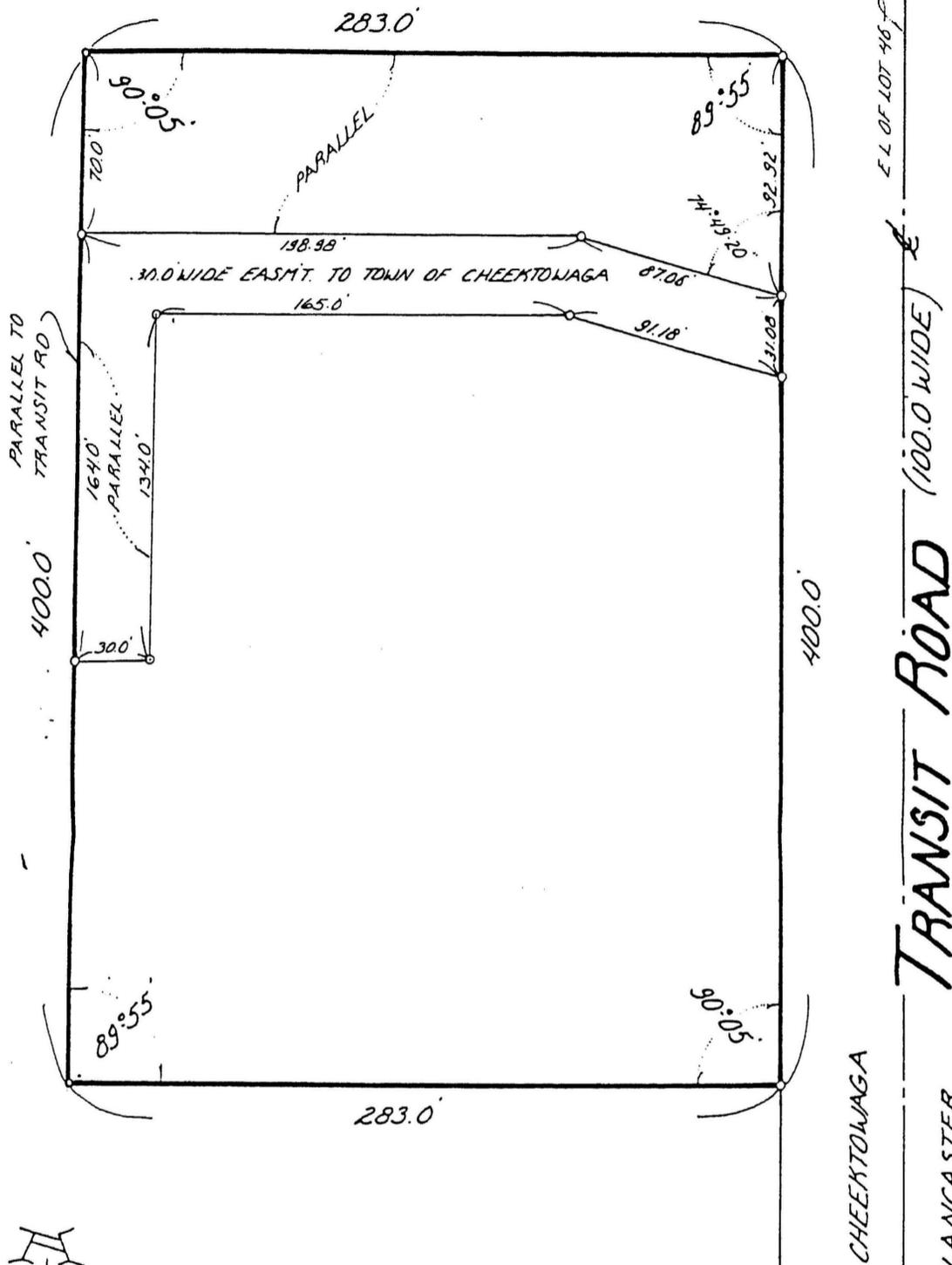
RESOLVED that the Town Attorney be and hereby is directed to file such easement in the Erie County Clerk's Office.

* See next page for easement

Upon Roll Call....

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

STRASMER AVE. (66.0 WIDE)



A SURVEY of PART of
 LOT 46, T10, R7
 BUFFALO CREEK RESERVATION
 TOWN of CHEEKTOWAGA
 ERIE CO., N.Y.S.
 DEC. 23, 1990, 1" = 50'
 REVISED JAN. 11, 1991
 REVISED JAN. 18, 1991

CHEEKTOWAGA

TRANSIT ROAD (100.0 WIDE)

LANCASTER

Gary E. Krull
 LAND SURVEYOR

11651 Whitetail Drive
 Marilla, New York 14102

(716) 655-1654

#89-169

No. 11

No. 12

Box #480
43
Eas
7/7

EASEMENT FILED

1991 MAY 22 AM 10:16

BOGDAN NOWACKI
and
STANLEY NOWACKI
ERIE COUNTY
CLERK'S OFFICE

TO

TOWN OF CHEEKTOWAGA

Dated: April 30, 1991

EASEMENT

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 12289 Page 288
of 288
on the 30th day of May
A.D., 1991 at 11:00'clock A.M.
and examined.
David J. Swartz
CLERK

149506-25-
7-5-91
0-5-91

THIS INDENTURE, made and entered into as of the 30th day of April, 1991, by and between BOGDAN NOWACKI and STANLEY NOWACKI, residing at 116 Main Street, Depew, New York, hereinafter referred to as the Owners, and

TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

erg 46 10/7

WITNESSETH

THAT the Owners, in consideration of the sum of One and No/100 (\$1.00 & no more) Dollar and other good and valuable consideration paid by the Town, does hereby grant and release unto the Town a permanent right-of-way and easement for the purpose of constructing, operating and maintaining at its sole cost and expense, storm sewer pipes and appurtenances thereto, in across and under that portion of the real property of the Owners described in Schedule A and shown on Schedule B annexed hereto and made a part hereof.

RECEIVED
\$.....
REAL ESTATE

MAY 22 1991

LI 010289 P 280

TRANSFER TAX
21803 ERIE COUNTY

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress and egress over, and entry upon the real property of the Owners.

RESERVING, to the Owner, their heirs and assigns, the right of reasonable ingress and egress over the easement herein granted unto the Town.

SUBJECT TO:

(a) the Town's maintenance of such storm sewer pipes and appurtenances in good and proper condition, and

(b) the Town's causing any work performed in the exercise of the rights and privileges granted herein to be promptly completed, and causing all property of the Owners to be restored as nearly as possible to the condition the same was in immediately before the commencement of any such work, and

(c) the Town's requiring any contractor performing any such work to maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD the rights and easement herein granted unto the Town, its successors and assigns forever.

Any pipes and appurtenances laid or to be laid by or for the Town, its successors and assigns, and/or its contractors, shall be and remain the property of the Town, its successors and assigns forever.

AND the said Owners covenant as follows:

First: that said Owners are seized of the said premises in fee simple, and have the good right to convey the same;

Second: that said Town shall quietly enjoy the said rights and easement;

SCHEDULE A

PROPOSED DESCRIPTION FOR 30.0' EASEMENT TO TOWN OF CHEEKTOWAGA

Part of Lot 46, Township 10, Range 7, Buffalo Creek Reservation.

Beginning at a point on the west bounds of Transit Road (100.0' wide) 92.92' south of the south bounds of Strasmer Avenue (66.0' wide).

Thence northwest at an angle in the northwest quadrant of $74^{\circ}-49'-20''$ a distance of 87.06' to a point 70.0' south of Strasmer Avenue as measured parallel to Transit Road.

Thence west parallel to Strasmer Avenue a distance of 198.98 to a point.

Thence south parallel to Transit Road at an interior angle of $90^{\circ}-05'$ a distance of 164.0' to a point.

Thence east parallel to Strasmer Avenue a distance of 30.0' to a point.

Thence north parallel to Transit Road a distance of 134.0' to a point.

Thence east parallel to Strasmer Avenue a Distance of 165.0' to a point.

Thence southeast parallel to the first line described herein a distance of 91.18' to the west bounds of Transit Road.

Thence north on the west bounds of Transit Road a distance of 31.08' to the point of beginning.

EASEMENT

BOGDAN NOWACKI
and
STANLEY NOWACKI

TO

TOWN OF CHEEKTOWAGA

Dated: April 30 , 1991

EASEMENT

THIS INDENTURE, made and entered into as of the 30th day of April , 1991, by and between BOGDAN NOWACKI and STANLEY NOWACKI, residing at 116 Main Street, Depew, New York, hereinafter referred to as the Owners, and

TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

WITNESSETH

THAT the Owners, in consideration of the sum of One and No/100 (\$1.00 & no more) Dollar and other good and valuable consideration paid by the Town, does hereby grant and release unto the Town a permanent right-of-way and easement for the purpose of constructing, operating and maintaining at its sole cost and expense, storm sewer pipes and appurtenances thereto, in across and under that portion of the real property of the Owners described in Schedule A and shown on Schedule B annexed hereto and made a part hereof.

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress and egress over, and entry upon the real property of the Owners.

RESERVING, to the Owner, their heirs and assigns, the right of reasonable ingress and egress over the easement herein granted unto the Town.

SUBJECT TO:

(a) the Town's maintenance of such storm sewer pipes and appurtenances in good and proper condition, and

(b) the Town's causing any work performed in the exercise of the rights and privileges granted herein to be promptly completed, and causing all property of the Owners to be restored as nearly as possible to the condition the same was in immediately before the commencement of any such work, and

(c) the Town's requiring any contractor performing any such work to maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD the rights and easement herein granted unto the Town, its successors and assigns forever.

Any pipes and appurtenances laid or to be laid by or for the Town, its successors and assigns, and/or its contractors, shall be and remain the property of the Town, its successors and assigns forever.

AND the said Owners covenant as follows:

First: that said Owners are seized of the said premises in fee simple, and have the good right to convey the same;

Second: that said Town shall quietly enjoy the said rights and easement;

Third: that said premises are free and clear of all liens and encumbrances in the portion of the Owners' real property described in the attached Schedule A.

Fourth: that the Owners will execute or procure any further necessary assurances of the title to said rights and easement; and

Fifth: that said Owners will forever warrant the title to the said rights and easement.

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

Bogdan Nowacki (L.S.)
Stanley A. Nowacki (L.S.)

STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

On the 30th day of April, 1991, before me personally came BOGDAN NOWACKI and STANLEY NOWACKI, to me known and known to me to be the individuals described in and who executed the foregoing instrument and they acknowledged to me that they executed the same.

Robert M. Bronszkiewicz
Notary Public
ROBERT M. BRONSZKIEWICZ
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MAY 31, 1992

SCHEDULE A

PROPOSED DESCRIPTION FOR 30.0' EASEMENT TO TOWN OF CHEEKTOWAGA

Part of Lot 46, Township 10, Range 7, Buffalo Creek Reservation.

Beginning at a point on the west bounds of Transit Road (100.0' wide) 92.92' south of the south bounds of Strasmer Avenue (66.0' wide).

Thence northwest at an angle in the northwest quadrant of $74^{\circ}-49'-20''$ a distance of 87.06' to a point 70.0' south of Strasmer Avenue as measured parallel to Transit Road.

Thence west parallel to Strasmer Avenue a distance of 198.98 to a point.

Thence south parallel to Transit Road at an interior angle of $90^{\circ}-05'$ a distance of 164.0' to a point.

Thence east parallel to Strasmer Avenue a distance of 30.0' to a point.

Thence north parallel to Transit Road a distance of 134.0' to a point.

Thence east parallel to Strasmer Avenue a Distance of 165.0' to a point.

Thence southeast parallel to the first line described herein a distance of 91.18' to the west bounds of Transit Road.

Thence north on the west bounds of Transit Road a distance of 31.08' to the point of beginning.

Item No. 15b Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, by resolution dated April 2, 1990, this Town Board approved the rezoning of property owned by Maplewood Properties, Inc. located at 219-225 Bennett Road from R-Residential District to RC-Restricted Business District, and

WHEREAS, such rezoning was subject to the condition that Maplewood Properties, Inc. convey drainage and conservation/creek maintenance easements to the Town, and

WHEREAS, Maplewood Properties, Inc. has executed and filed the required easements in the Erie County Clerk's Office, and

WHEREAS, the Town Engineer and Town Attorney have approved these easements, NOW, THEREFORE, BE IT

RESOLVED that the attached easements be and hereby are accepted by this Town Board.

* See next pages for easements

Upon Roll Call....

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

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to Ckg 10"/7
T L10197-8&D

13

AMENDED EASEMENT

THIS INDENTURE, made and entered into as of the 11th day of April, 1991 by and between MAPLEWOOD PROPERTIES, INC., a domestic corporation organized under the laws of the State of New York, with its principal office and place of business located at 803 Hopkins Road, Williamsville, New York 14221, hereinafter referred to as the Owner, and

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TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

RECEIVED
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REAL ESTATE
1908
APR 12 1991

WITNESSETH:

TRANSFER TAX
1991

THAT the Owner, in consideration of the sum of One and N6/100 (\$1.00 & No More) Dollar and other good and valuable consideration paid by the Town, does hereby grant and release unto the Town a permanent right-of-way and easement for the purpose of constructing, operating and maintaining at its sole cost and expense, a drainage ditch and/or storm sewer pipeline and appurtenances thereto, in, across and under that portion of the real property of the Owners described in Schedule A and shown on Schedule B annexed hereto and made a part hereof.

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress and egress over, and entry upon the real property of the Owner.

RESERVING, to the Owner, its successors and assigns the right of reasonable ingress and egress over the easement herein unto the Town.

SUBJECT TO:

(a) The Town's maintenance of such drainage ditch and/or storm sewer pipeline and appurtenances in good and proper condition, and

(b) the Town's causing any work performed in the exercise of the rights and privileges granted herein to be promptly completed, and causing all property of the Owner to be restored as nearly as possible to the condition the same was in immediately before the commencement of any such work, and

(c) the Town's requiring any contractor performing any such work to maintain adequate liability and worker's compensation insurance.

TO HAVE AND TO HOLD the rights and easement herein granted unto the Town, its successors and assigns forever.

Any pipes and appurtenances laid or to be laid by or for the Town, its successors and assigns, and/or its contractors, shall be and remain the property of the Town, its successors and assigns forever.

AND the said Owner covenants as follows:

First: that said Owner is seized of the said premises in fee simple, and has the good right to convey the same;

Second: that said Town shall quietly enjoy the said rights and easement;

Third: that said premises are free and clear of all liens and encumbrances in the portion of the Owner's real property described in the attached Schedule A;

Fourth: that the Owner will execute or procure any further necessary assurances of the title to said rights and easement; and

Fifth: that said Owner will forever warrant the title to the said rights and easement.

LI 010277 P 142

This Amended Easement is being given to correct and modify that certain Easement dated July 24, 1990, and recorded in the Erie County Clerk's Office on July 25, 1990 in Liber 10197 of Deeds at page 80.

IN WITNESS WHEREOF, the Owner has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written.

MAPLEWOOD PROPERTIES, INC.

By: Christopher T. Greene
CHRISTOPHER T. GREENE
Assistant Secretary

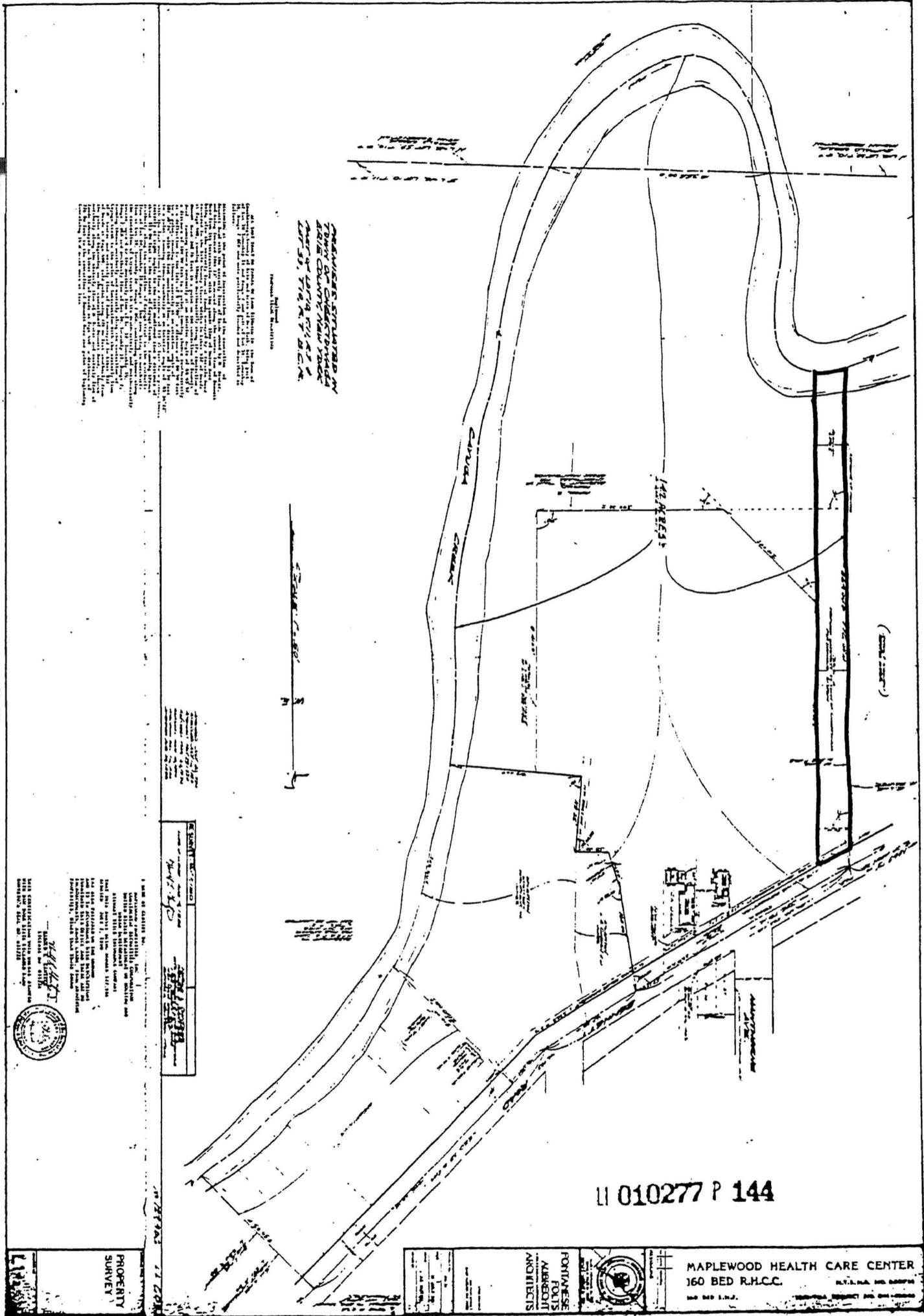
STATE OF NEW YORK)
) SS:
COUNTY OF ERIE)

On this 11th day of April, 1991, before me personally came Christopher T. Greene, to me known, who being by me duly sworn, did depose and say that he resides in ^{WEST AMHERST} Buffalo, that he is Assistant Secretary of Maplewood Properties, Inc., the corporation described in and which executed the within instrument; and that he signed his name by like order of the Board of Directors of said corporation.

Kelly J. Austin
Notary Public

KELLY J. AUSTIN
NOTARY PUBLIC, State of New York
Qualified in Erie County
My Commission Expires May 31, 1992

LI 010277 P 143



THIS PLAN SHOWS THE PROPOSED LAYOUT OF THE MAPLEWOOD HEALTH CARE CENTER, 160 BED R.H.C.C., AS SUBMITTED TO THE BOARD OF SUPERVISORS OF CALIFORNIA COUNTY OF SAN DIEGO, ON APRIL 19, 1971, BY THE ARCHITECTS, FONTINELLE, FOLTS, ALBRECHT AND HUBBARD, INC., 10000 SAN DIEGO AVENUE, SAN DIEGO, CALIFORNIA 92131.

DESIGNER'S SCALE: 1" = 40' (VERTICAL)
 1" = 100' (HORIZONTAL)

PROJECT TITLE: MAPLEWOOD HEALTH CARE CENTER

SOUTH
 N

DATE: APRIL 19, 1971
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

U 010277 P 144

FONTINELLE FOLTS ALBRECHT AND HUBBARD ARCHITECTS		MAPLEWOOD HEALTH CARE CENTER 160 BED R.H.C.C.	
		S.D.A. No. 000000 S.D. No. 1-1-71	

Schedule B

PROPERTY SURVEY

SCHEDULE A

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 10, Township 11 and Range 7,

BEGINNING at a point on the southeasterly line of Bennett Road, where the same is intersected by a line drawn parallel with and 50.00 feet easterly at Right Angles from the easterly line of M. Sauter and westerly line of Liber 932 of Deeds at Page 408; running thence southerly on a line parallel with the easterly line of M. Sauter and the westerly line of Liber 932 of Deeds at Page 408 to the centerline of Cayuga Creek; thence westerly along the centerline of Cayuga Creek to the easterly line of M. Sauter which is also the westerly line of Liber 932 of Deeds at Page 408, thence northerly along the easterly line of M. Sauter and the westerly line of Liber 932 of Deeds at Page 408 to the point of intersection with the southeasterly line of Bennett Road;

Thence northeasterly along the southeasterly line of Bennett Road to the point or place of beginning.

This easement is to provide access to Cayuga Creek for the construction, operation and maintenance of a drainage system.

Box 104 (C788)
Amended Easement
Mr. Spelwood Properties, Inc.
to
Town of Cheektowaga
Dated: April 11, 1991

443

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 4277, Page 141.
of
on the day of
A.D., 1991, at o'clock P.M.
and examined.
David J. Sauter
ERIE COUNTY CLERK'S OFFICE

010277 P 145

1991 APR 12 PM 4:28
FILED
-52-085221 B
0-5-L
JWM

15

CAYUGA CREEK MAINTENANCE EASEMENT

Eas.
M
to
T Ckg
10/1/74
5910/7

THIS INDENTURE, made and entered into as of the 11th day of April, 1991 by and between:

MAPLEWOOD PROPERTIES, INC., a domestic corporation organized under the laws of the State of New York, with its principal office and place of business located at 803 Hopkins Road, Williamsville, New York 14221, hereinafter referred to as the Owner, and

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TOWN OF CHEEKTOWAGA, NEW YORK, a domestic municipal corporation having its principal office and place of business located at the Town Hall, Broadway and Union Road, in the Town of Cheektowaga, County of Erie and State of New York, hereinafter referred to as the Town.

WITNESSETH:

THAT the Owner, in consideration of the sum of One and No More Dollars (\$1.00 & No More) and other good and valuable consideration paid by the Town, does hereby release and grant unto the Town a permanent easement for the purposes of:

- (i) regular inspection of the area described in the attached Schedule A and shown on the attached Schedule B consisting of the creek bed, banks and associated floodplain (hereinafter referred to as the "Easement Area"), in order to inspect the Easement Area for the accumulation of sediments or debris or other circumstances which may impede water flow, and to perform maintenance; and
- (ii) removal or correction of any such water flow impediment from the Easement Area.

TOGETHER with the grant to the Town, its agents, servants and/or employees, of the right of reasonable ingress over and entry upon the real property of the Owner.

RESERVING to the Owner, its successors and assigns the right of reasonable ingress and egress over the easement hereunto granted to the Town.

SUBJECT TO:

(a) that, in the event any flood control work shall be required for the general benefit of the surrounding area, the Town shall have the right of ingress and egress to protect and preserve the creek bed and natural flow of Cayuga Creek.

(b) that the parties agree to conduct all activities within the Easement Area in accordance with environmental and flood control laws, rules and regulations of the State of New York and the United States of America.

(c) that the Owner reserves for itself and/or assigns all rights to the premises as owner thereof for all purposes not inconsistent with this grant of easement.

AND the Owner covenants as follows:

FIRST: that said Owner is seized of the said premises in fee simple, and has the good right to convey the same;

SECOND: that said Town shall quietly enjoy the said rights and easement;

THIRD: that said premises are free and clear of all liens and encumbrances in the portion of the Owner's real property described in the attached Schedule A.

FOURTH: that the Owner will execute or procure any further necessary assurances of the title to said rights and easement; and

FIFTH: that said Owner will forever warrant the title to the said rights and easement.

This Cayuga Creek Maintenance Easement is being given to correct and modify that certain Amended Conservation Easement dated July 24, 1990, and recorded in the Erie County Clerk's Office on July 25, 1990 in Liber 10197 of Deeds at page 385.

IN WITNESS WHEREOF, the Owner has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written.

Maplewood Properties, Inc.

By: 

STATE OF NEW YORK)
) SS:
COUNTY OF ERIE)

On this 11th day of April, 1991, before me personally came Robert M. Chur, to me known, who being by me duly sworn, did depose and say that he resides at East Amherst; that he is the President of Maplewood Properties, Inc., the corporation described in and which executed the within instrument; and that he signed his name thereto by like order of the Board of Directors of said corporation.


Notary Public

LI 010277 P 147

CHRISTOPHER T. GREENE
Notary Public, State of New York
Qualified in Erie County
The Commission Expires ~~12/31/91~~

OCT 31 1991

SCHEDULE A

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 10, Township 11 and Range 7, also being part of Lot 59, Township 10, Range 7, Buffalo Creek Reservation.

Commencing at a point on the southeasterly line of Bennett Road, where the same is intersected by a line drawn parallel with and 50.00 feet easterly at Right Angles from the easterly line of M. Sauter and westerly line of Liber 932 of Deeds at Page 408;

Running thence southerly on a line parallel with the easterly line of M. Sauter and westerly line of Liber 932 of Deeds at Page 408, along the easterly line of a drainage easement granted to the Town of Cheektowaga, 410.00 feet +/- to a point, said point being the principal point of beginning;

Thence from the principal point of beginning, running southeasterly at a deflection to the left of 45° from the previous parallel line, a distance of 210.00 +/- to a point;

Thence running easterly at a deflection to the left of 45° from the previous line, along a line perpendicular to the easterly line of M. Sauter and westerly line of Liber 932 of Deeds at Page 408, a distance of 300.00 +/- to a point;

Thence running northerly and at 90° to the previous line, on a line parallel with the easterly line of M. Sauter and westerly line of Liber 932 of Deeds at Page 408, a distance of about 410.00 feet to the southerly line of lands conveyed to Woodmark Development, Inc.;

Thence running easterly along the southerly line of Woodmark Development, Inc. to the centerline of Cayuga Creek;

Running thence southerly along the centerline of Cayuga Creek to the southerly line of Lot 10, Township 11, Range 7, the same being the northerly line of Lot 59,

THESE LOTS ARE SUBJECT OF A DEED OF TRUST TO THE BANK OF AMERICA NATIONAL ASSOCIATION, MEMPHIS, TENNESSEE, IN CONNECTION WITH A MORTGAGE ON THE LANDS DESCRIBED IN THE FOREGOING DEED OF TRUST, DATED AND RECORDED AS ABOVE.

DEEDS SITUATED IN THE COUNTY OF DEKALB, GEORGIA, BOOK 11, PAGE 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

APPROXIMATE NORTH

1/2" = 100'

1/4" = 50'

1/8" = 25'

1/16" = 12.5'

1/32" = 6.25'

1/64" = 3.125'

1/128" = 1.5625'

1/256" = 0.78125'

1/512" = 0.390625'

1/1024" = 0.1953125'

1/2048" = 0.09765625'

1/4096" = 0.048828125'

1/8192" = 0.0244140625'

1/16384" = 0.01220703125'

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Township 10, Range 7 of the Buffalo Creek Reservation; continuing thence along the centerline of Cayuga Creek in its southwesterly and northwesterly course, upward to the northerly line of Lot 59, Township 10, Range 7 of the Buffalo Creek Reservation and the southerly line of Lot 10, Township 11, Range 7 of the Buffalo Creek Reservation;

Running thence northerly and westerly along the centerline of Cayuga Creek to the point of intersection with the easterly line of a drainage easement granted to the Town of Cheektowaga by Maplewood Properties, Inc. on the same date as the date of this easement, said point lying on a line of 50.00 easterly and parallel with the easterly line of M. Sauter and westerly line of Liber 932 of Deeds at Page 408;

Thence running northerly along the said parallel line and easterly line of the aforesaid drainage easement conveyed to the Town of Cheektowaga a distance of 368± to the principal point of beginning.

BOX 104 (ETA)

MAINTENANCE
EASEMENT

Maplewood Properties Inc.

vs
Town of Cheektowaga

DATED: April 11, 1991

444

-2-

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

Recorded in Liber 14277...Page 146

of
on the 12th day of April
A.D., 1991, at 1:00 o'clock P.M.
and examined.

David J. Sauter
CLERK

010277 P 150

RECEIVED
\$ 0
REAL ESTATE
19080
APR 12 1991

TRANSFER TAX
ERIE
COUNTY

ERIE COUNTY
CLERK'S OFFICE

1991 APR 12 PM 4:28

FILED

- 52 - 0850218

0-5-0

Call WILL

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

WHEREAS, Losson Park Village Inc., the developer of the Losson Park Village Subdivision, has furnished and installed a highway lighting system consisting of eleven (11) 5200 lumen H.P.S. post top luminaires and two (2) 14,400 lumen H.P.S. luminaires and related equipment as required in conjunction with development of Phase II of said subdivision, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation is hereby authorized to connect the aforesaid public highway lighting system at an annual increase to the Town's General Lighting District of \$651.04 in accordance with the attached New York State Electric & Gas proposal dated May 15, 1991, which is hereby made a part of this resolution.

* See next pages

Upon Roll Call....

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

NYSEG

May 15, 1991

**STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA
LOSSON PARK SUBDIVISION PHASE II**

SC #2

Park trail - 2
Whitney Place - 9

Connect 11 - 5200 lumen hps lamps (energy & Bulb rate) = \$491.26
@ \$44.66
Std. 4 & 5; Std. 4 - 12

Towers Blvd. - 2

Connect 2 - 14400 lumen hps lamps (energy & bulb rate) = \$159.78
@ \$79.89
Std. 17 & 18

TOTAL ANNUAL INCREASE -----\$651.04

Standards, underground conductors and fixtures to be supplied and installed by developer; owned and maintained by the Town of Cheektowaga.

Connections, energy, lamp and photo-electric eye replacements to be supplied by NYSEG

(see attached sketch)

(This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga)

Item No. 17 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee reviews various applications for building permits, rezonings, special permits, etc. and renders its determination of environmental significance of such applications, and

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

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

WHEREAS, the Advisory Committee, at its meeting held on May 2, 1991, rendered the determinations shown on the attached memo dated May 3, 1991, and

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

RESOLVED that this Town Board hereby affirms the recommendations (including stipulations, if any) made by the Advisory Committee with respect to the following referenced items which appear on the May 3, 1991 memo attached hereto:

Item II Riffel Terrace Extension

* See next pages

Upon Roll Call....

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

Item No. 18 Motion by Councilman Kulyk Seconded by Councilman Rogowski

WHEREAS, in settlement of a grievance by the Town of Cheektowaga Employees Association, Jeffrey Bolis, presently a Motor Equipment Operator "A" is to be returned to his former position of Motor Equipment Operator "B", NOW, THEREFORE, BE IT

RESOLVED that Jeffrey Bolis of 180 Ellicott Creek Road, Cheektowaga, New York 14225, be and hereby is appointed to the position of Motor Equipment Operator "B" in the Sanitation Department effective May 20, 1991.

Upon Roll Call....

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

Item No. 19a Motion by Supervisor Swiatek Seconded by Councilman Blachowski

WHEREAS, a permanent vacancy exists in the position of Junior Accountant, AND

WHEREAS, there currently exists no valid Civil Service list for said position, AND

WHEREAS, the Town reviewed applications and conducted interviews for such position, AND

WHEREAS, Lisa M. Hilburger-Strozyk has applied and meets all necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Lisa M. Hilburger-Strozyk of Cheektowaga, New York 14225, be and hereby is appointed to the position of Junior Accountant on a provisional basis, pending the results of a future Civil Service exam for such position, AND, BE IT FURTHER

RESOLVED that said appointment is effective May 21, 1991 and the starting salary is to be \$22,000 annually with a five (5%) percent salary increase at the end of ninety (90) calendar days and an additional five (5%) percent salary increase on her one (1) year anniversary. This schedule is not to exclude her from any general wage increases granted to employees in the exempt classification.

Upon Roll Call....

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

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

WHEREAS, in settlement of a grievance by the Town of Cheektowaga Employees Association, Warren A. Ahl, presently a Laborer in the Sanitation Department, is to be appointed a Motor Equipment Operator "A", NOW, THEREFORE, BE IT

RESOLVED, that Warren A. Ahl, Cheektowaga, New York 14227, be and hereby is appointed to the position of Motor Equipment Operator "A" in the Sanitation Department, effective May 20, 1991.

Upon Roll Call....

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

MEETING NO. 10
May 20, 1991

Item No. 19c Motion by Councilman Rogowski Seconded by Councilman Kulyk

WHEREAS, two (2) vacancies for the position of Sewer Maintenance Man exist in the Sewer Maintenance Department, AND

WHEREAS, notice of such vacancies have been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, AND

WHEREAS, Raymond Bobeck and Peter Dudek, both currently employed as Motor Equipment Operator "B" for the Town, bid on said vacancies and meet the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Raymond Bobeck, _____, Cheektowaga, New York, 14225 and Peter Dudek, _____, Cheektowaga, New York 14227, be and hereby are appointed to the position of Sewer Maintenance Man in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon Roll Call....

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

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

BE IT RESOLVED that Joseph Lipowski of _____ be and hereby is reappointed to the Cheektowaga Planning Board for a seven (7) year term, expiring May 20, 1998.

Upon Roll Call....

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

Item No. 21 Motion by Councilman Solecki Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are terminated as listed:

EFFECTIVE

SANITATION DEPARTMENT

Mark Pauly	Immediately
Joseph Federowicz	"
Michael Kazmierczak	"
Robert Wareham	"

FACILITIES DEPARTMENT

James Demler	Immediately
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Upon Roll Call....

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

Item No. 22 Motion by Councilman Rogowski Seconded by Councilman Kulyk

BE IT RESOLVED, that the following individuals be and hereby are hired as part-time employees, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association.

Item No. 22 continued

SEWER DEPARTMENT - \$5.00 per hour

EFFECTIVE

Kimberly Burst (PT-Clerical) Immediately

Upon Roll Call....

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

Item No. 23 Motion by Councilman Rogowski Seconded by Councilman Kulyk

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

EFFECTIVE

SEWER DEPARTMENT - \$4.65 per hour

Steven Golovin Immediately
Dennis Mrugalski "
Sean Surdej "
Alex Nestreuk "
Aaron Vanderlip "

FACILITIES DEPARTMENT - \$5.00 per hour

Walter J. Gardon Immediately

SANITATION DEPARTMENT - \$5.00 per hour

David Montfort Immediately
Gary Cammilleri "
Greg Klima "
Ronald Sobocinski "
Lawrence Dougherty "

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

Upon Roll Call....

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

AMENDED

Motion by Councilman Rogowski Seconded by Councilman Kulyk

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

Item No. 23 continued

EFFECTIVE

SEWER DEPARTMENT - \$4.65 per hour

Steven Golovin	Immediately
Dennis Mrugalski	"
Sean Surdej	"
Alex Nestreuk	"
Aaron Vanderlip	"

FACILITIES DEPARTMENT - \$4.65 per hour

Walter J. Gardon	Immediately
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SANITATION DEPARTMENT - \$5.00 per hour

David Montfort	Immediately
Gary Cammilleri	"
Greg Klima	"
Ronald Sobocinski	"
Lawrence Dougherty	"

Upon Roll Call....

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

Item No. 24 Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, Joseph Freeman, P.E., Consulting Engineer, has submitted a proposal to provide a structural investigation of the Central Garage parts storage mezzanine, AND

WHEREAS, said study entails recommendations for repair and/or replacement of structural members and the preparation of plans and specifications for required rehabilitation in conjunction with the construction of an additional secured storage area, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Freeman, P.E., East Aurora, New York 14052 is hereby retained to provide the aforementioned professional engineering services in accordance with the proposal dated May 15, 1991 at a fee not to exceed \$5,500.00, AND, BE IT FURTHER

RESOLVED, that funds for said services shall be chargeable against Account No. 5101-1625-0020.

Upon Roll Call....

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

Item No. 25 Motion by Unanimous Seconded by Unanimous

WHEREAS, the Town of Cheektowaga which is one of the largest towns in New York State wishes to show its support for the Buffalo Bisons, and

WHEREAS, the Town of Cheektowaga last year sponsored the largest turnout ever in support of the Buffalo Bisons, and

WHEREAS, the Town will again sponsor Cheektowaga Day at the Buffalo Bisons on Tuesday, June 25, 1991, therefore be it

Item No. 25 continued

RESOLVED, that Tuesday, June 25, 1991 be proclaimed Cheektowaga Day at the Buffalo Bisons, and be it further

RESOLVED, that all citizens of the Town of Cheektowaga are requested to show their support of the Town and the Buffalo Bisons and attend the game.

Upon Roll Call....

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

* * * * *

Motion by Councilman Kulyk and seconded by Supervisor Swiatek to abstain from reading of figures in Item No. 26 and the voting was as follows:

Upon Roll Call....

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

* * * * *

Item No. 26 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

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

GENERAL FUND

FROM:	0100-1410-4001	Town Clerk Office Supplies	\$ 3,325.00 E
	0100-1010-1358	Staff Asst.-Rogowski	2,000.00 E
	0100-1010-1352	Staff Asst.-Jaworowicz	2,000.00 E
	0100-7140-4191	Y&R Misc. Expenses	1,500.00 E
	0100-7140-4191	Y&R Misc. Expenses	200.00 E
	0100-7310-4691	Y&R Disabled Day Camp	150.00 E
	0100-3120-2625	Drug Forfeiture Revenue	200.00 R
TO:	0100-1410-4052	Town Clerk Records Retention	\$ 3,325.00 E
	0100-1330-1392	Seasonal/Clerical-Tax Office	4,000.00 E
	0100-7310-4001	Y&R Office Supplies	1,500.00 E
	0100-7310-4061	Y&R Publication & Dues	200.00 E
	0100-7310-4693	Y&R Adapted Recreation	150.00 E
	0100-3120-2205	Police Forfeiture Equipt.,Expense	200.00 E

SPECIAL DISTRICT FUND

FROM:	1500-8160-8121	Social Security Taxes-Sanitation	\$20,000.00 E
	2500-0909-	SP#5 Fund Balance	18,000.00 E
TO:	1500-8173-8121	Social Security Taxes-Recycling	\$20,000.00 E
	2500-8125-4506	Accounting & Auditing	18,000.00 E

Upon Roll Call....

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

Item No. 27 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to May 17, 1991, are hereby approved and made a part hereof:

Item No. 27 continued

GENERAL FUND	\$3,940,758.97
HIGHWAY FUND	526,269.54
TRUST & AGENCY FUND	98,279.89
CDBG HUD FUND	48,529.11
PART TOWN FUND	46,726.60
RISK RETENTION FUND	148,940.18
STATE AHC	314.00
HUD REHABILITATION FUND	12,752.99
DEBT SERVICE FUND	14,890.00
SPECIAL DISTRICTS	1,798,998.19
CAPITAL FUND	758,814.48
TOTAL	<u>\$7,395,273.95</u>
	=====

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Supervisor's Statement of Funds/December, 1990
Received and Filed.

Item No. 29a Minutes of Cheektowaga Library Board/April, 1991
Received and Filed.

Item No. 29b Minutes of Cheektowaga Planning Board/April, 1991
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 30 NYSDOT/Notice of Order: Amend parking restrictions on north side of
Walden Avenue from west curblin of Hoerner Avenue
Copies were sent to: Frank E. Swiatek, Supervisor; All Town Board
Members; Highway Department; Chief of Police.
Received and Filed.

Item No. 31 NYSDOT correspondence regarding Genesee Street, Part 1, (Holtz Rd. to
Transit Road)
Copies were sent to: Frank E. Swiatek, Supervisor; All Town Board
Members; Highway Department.
Received and Filed.

Item No. 32 Summons and Complaint: Israel Logan vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Chief of
Police; Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 33a Notice of Claim: Edna M. Barenthaler vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department; Allied Claims Service, Insurance Carrier.
Received and Filed.

MEETING NO. 10
May 20, 1991

- Item No. 33b Notice of Claim: Glenn R. Doran vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims Service, Insurance Carrier.
Received and Filed.
- Item No. 33c Notice of Claim: Rene M. Gray vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Police Department; Allied Claims Service, Insurance Carrier.
Received and Filed.
- Item No. 33d Notice of Claim: Jacqueline P. & William H. Reynolds vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Department; Allied Claims Service, Insurance Carrier
Received and Filed.
- Item No. 33e Notice of Claim: Glenn J. Kuhlmeier vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department; Allied Claims Service, Insurance Carrier
Received and Filed.
- Item No. 34 Motion by Supervisor Swiatek and seconded by Councilman Jaworowicz to adjourn the meeting.

RICHARD M. MOLESKI,
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of June, 1991 at 7:30 o'clock P.M., Eastern Daylight Saving Time there were:

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

Also present were: Richard M. Moleski, Town Clerk; Robert Kaczmarek, Chief Accountant; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Ronald Marten, Building Inspector; Bruce Chamberlin, Chief of Police; Donald Wegner, Zoning Inspector; Salvatore LaGreca, Chairman of Planning Board and Kenneth Kopacz, Director of Youth and Recreational Services.

I. PUBLIC HEARING

Item No. 2

This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Duke Road	east-west leg	Duke Road north-south leg	southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

BROOKEDGE ROAD	north side	west from Borden Road, then north on east side, then west on north side, then east on south side.
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Item No. 2 continued

HEATHER ROAD	south & east side	from the southeast curblines of Danbury Drive to the east curblines of Rosary Boulevard.
OLD LOSSON ROAD	north side	from north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to include a cul-de-sac.
OLD LOSSON ROAD	south side	from the north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

76-101 All-night parking.

Section 76-101 shall be amended as follows:

Delete the words "November 1 to April 1" and substitute the words "December 1 to March 1" or "November 15 to March 15."

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

BROOKEDGE ROAD	north side	of the inbound roadway westerly from the west curblines of Borden Road, then along the outside perimeter of Brookedge Road to the south side of the outbound roadway, then easterly to the west curblines of Borden Road.
OLD MARYVALE DRIVE	south & east side	from the southeast curblines of Danbury Drive to the east curblines of Rosary Boulevard.
CRABAPPLE LANE	north side	from the north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.
CRABAPPLE LANE	south side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

C. No parking here to corner

ROWAN ROAD	south side	from east curblines of Ivanhoe Road easterly for 50 feet.
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F. Miscellaneous parking signs

(15) No stopping

DUKE ROAD (north-south leg)	east & west side	from the south curblines of Walden Avenue to the north curblines of Duke Road (east-west leg).
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The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

II. FROM THE TABLE

Item No. 3 Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, this Town Board held a public hearing on April 15, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VII

Turning Movements

76.74 No right on red.

The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

- B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:

The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Drive	Northbound	S.E. Corner
Isabelle Road	South	Applewood Road	Southbound	N.E. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

- (3) The exclusion of county road(s) from Subsection A(1) shall not apply to the following named county road(s), which road(s) shall have an established speed limit of forty-five (45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

Item No. 3 continued

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the Section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Eggert Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Road westerly to the Amherst Town line
Beach Road - from Genesee Street northerly to the Amherst Town Line
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village line southerly to the West Seneca Town Line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line
Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 952Q, northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State Route 277, westerly to the Buffalo City line
Indian Road - from Como Park Boulevard to Rowley Road

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Road to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

Item No. 3 continued

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive	east side	north from Madeira Drive, then west on north side, then south on west side to the south curblineline of Madeira Drive extended.
Dubonnet Drive	east side	from the south curblineline of Madeira Drive southerly to the Terminus
Farmingdale Road	west side	from the south curblineline of Cleveland Drive to the south curblineline of Greenway Boulevard extended
Peachtree Road	north side	from west curblineline of Kaufman Road westerly 55 feet to a point
Ellicott Creek Rd	east side	from the north curblineline of Aero Drive to a point 300 feet northerly
Countryside Lane	south side	from the east end of the west cul-de-sac to the west end of the east cul-de-sac
Countryside Lane	north-south leg	east and west side, from the south curblineline of Como Park Boulevard to the north curblineline of Countryside Lane (east-west leg)
Honorine Drive	west side	from the south curblineline of Como Park Boulevard southerly to dead end
Hitchcock Drive	east side	from the south curblineline of Como Park Boulevard southerly to dead end

C. No parking here to corner

Ellen Drive	south side	from the east curblineline of Terry Lane easterly 30 feet to a point.
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Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Item No. 3 continued

Section 3. Territorial Application

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 6, 1991.....;
last publication.....June 6, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this6th.....

day ofJune....., 1991..

.....Margaret J. Bourdette.....

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

LEGAL NOTICE

ARTICLE VII

Turning Movements

76.74 No right on red.

The turning of vehicles facing a steady red indication at intersections in the Town of Cheektowaga, Erie County, is prohibited as follows:

B. Right turns by northbound traffic of Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

ARTICLE VIII

Stop and Yield Intersections

Section 76-81. Yield intersections designated, shall be amended by adding thereto the following:

The following intersections are designated as yield intersections and yield signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Fairvale Drive	East-west	Clearvale Dr.	Northbound	S.E. Corner
Isabelle Road	South	Applewood Rd.	Southbound	N.E. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

(3) The exclusion of county road (s) from Subsection A(1) shall not apply to the following named county road (s), which road (s) shall have an established speed limit of forty-five (45) miles per hour:

<u>Name of Street</u>	<u>Limits</u>
Aero Drive	Between 0.1 mile east of Holtz Drive to Transit Road (N.Y. Route 78)

76.90 Applicable speed regulations, shall be amended by adding thereto the following:

The designation (a) following (1) in the section A. Established speed limits.

(b) The following speed limits shall be established on Erie County Roads in the Town of Cheektowaga:

(i) Roads to be posted 30 MPH

Century Road - from Kensington Avenue southerly to Cleveland Drive
Eggert Road - from Sugar Road northerly to the Buffalo City line

(ii) Roads to be posted 35 MPH

Aero Drive - from 0.1 (one tenth) mile east of Holtz Road westerly to the Amherst Town line
Beach Road - from Genesee Street northerly to the Amherst Town line
Bennett Road - from Union Road, State Route 277, easterly to Como Park Boulevard
Borden Road - from the Depew Village Line southerly to the West Seneca Town line
Cayuga Creek Road - from Harlem Road, State Route 240 to William Street
Cleveland Drive - from Cayuga Road westerly to the Buffalo City line
Como Park Boulevard - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Dick Road, west side - from Genesee Street southerly to Broadway, State Route 130
Dick Road, east side - from Depew north Village line northerly to Genesee Street
Dingens Street - from Harlem Road, State Route 240, westerly to the Buffalo City line
French Road - from Transit Road, State Route 78, westerly to Union Road, State Route 277
George Urban Boulevard - from Union Road, State Route 277, westerly to Genesee Street
George Urban Boulevard - from Union Road, State Route 277, easterly to the Depew Village line
Holtz Road - from Genesee Street, State Route 33, northerly to Aero Drive
Kensington Avenue - from the Amherst Town line westerly to the Buffalo City line
Losson Road - from Union Road, State Route 277, easterly to Transit Road, State Route 78
Maryvale Drive - from Pine Ridge Road easterly to the entrance ramp to State Route 33 eastbound
Maryvale Drive - from the New York State Thruway easterly to Cayuga Road
Pine Ridge Road - from Walden Avenue, State Route 952Q northerly to Maryvale Drive
Rowley Road - from Indian Road easterly to the Depew Village line
William Street - from Union Road, State 277, westerly to the Buffalo City Line
Indian Road - from Como Park Boulevard to Rowley Road

(iii) Roads to be posted 40 MPH

Cayuga Road - from Genesee Street to Wehrle Drive

(iv) Roads to be posted 45 MPH

Aero Drive - from Transit Road, State Route 78, westerly to 0.1 (1 tenth) mile east of Holtz Road

Section A (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour shall be amended by adding thereto the following:

East Delavan Avenue - from the Buffalo City line to Pine Ridge Road

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

A. No parking this side or one side parking.

Dubonnet Drive east side north from Madeira Drive, then west on north side, then south on west side to dead end south of Madeira Drive

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Dubonnet Drive east side north from Madeira Drive, then west on north side, then south on west side to the south curblin of Madeira Drive extended.

Dubonnet Drive east side from the south curblin of Madeira Drive southerly to the Terminus

Famingdale Rd. west side from the south curblin of Cleveland Drive to the south curblin of Greenway Boulevard extended

Peachtree Road north side from west curblin of Kaufman Road westerly 55 feet to a point

Ellicott Creek Rd. east side from the north curblin of Aero Drive to a point 300 feet northerly

Countryside Ln. south side from the east end of the west cul-de-sac to the west end of the east cul-de-sac

Countryside Ln. north-south leg east and west side, from the south curblin of Como Park Blvd. to the north curblin of Countryside Lane (east-west leg)

Honorine Drive west side from the south curblin of Como Park Blvd. southerly to dead end

Hitchcock Drive east side from the south curblin of Como Park Blvd. southerly to dead end

C. No parking here to corner

Ellen Drive south side from the east curblin of Terry Lane easterly 30 feet to a point

Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application

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

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon roll call...

Supervisor Swiatek	Voting	AYE
Councilman Jaworowicz	Voting	AYE
Councilman Gabryszak	Voting	AYE
Councilman Kulyk	Voting	AYE
Councilman Solecki	Voting	AYE
Councilman Rogowski	Voting	AYE
Councilman Blachowski	Voting	AYE

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY 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 3, 1991, 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 meetins of said Board, and such minutes appear at item 3, inclusive, of said book.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to insaid 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 here unto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of June 1991.

Richard M. Moleski, Town Clerk

PUBLISH: June 6, 1991

III. RESOLUTIONS

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

WHEREAS, bids were duly received on May 20, 1991, as a result of advertisement for the furnishing and installation of fencing at the Main Pump Station in the Town of Cheektowaga. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated May 23, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the contract for furnishing and installation of fencing to the Town for the year of 1991, as per said unit prices and as recommended by the Town Engineer, is hereby awarded to the following:

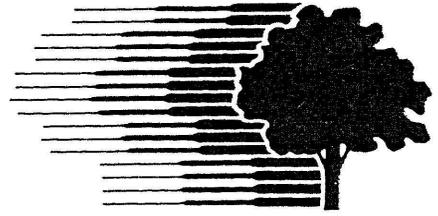
Wire Products Company, Inc.
565 Fillmore Avenue
Tonawanda, New York 14150
(716) 695-3222

Item IA	4' High Fencing	\$ 6.50/foot
Item IB	4' x 4' Gate	170.00/gate
Item IC	4' Corner Post	45.00/post
Item ID	4' End Post	35.00/post
Item IIA	6' High Fencing	8.89/foot
Item IIB	6' x 4' Gate	190.00/gate
Item IIC	6' Corner Post	75.00/post
Item IID	6' End Post	60.00/post
Item III	Barb Wire (3 strand)	.25/foot

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT



TOWN OF CHEEKTOWAGA
Erie County, New York

Chester L. Bryan, P.E.
Town Engineer

May 23, 1991

TO SUPERVISOR SWIATEK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Fencing
Contract

Gentlemen:

At a public bid opening on May 20, 1991, bids were received and publicly opened for the furnishing and installation of fencing for the 1991 calendar year. Four (4) bidders submitted bids as listed below.

It is, therefore, recommended that the bid for furnishing and installation of fencing be awarded to Wire Products, Inc., 565 Fillmore Avenue, Tonawanda, New York 14150, said being the lowest bidder meeting the requirements of the specifications.

	<u>Wire Products</u>	<u>City Fence</u>	<u>Armor Fence</u>	<u>Smith Fence</u>
4' High, 9 gauge	\$6.50/foot	\$9.75/foot	\$7.50/foot	\$9.40/foot
4' High Gate	170/gate	375/gate	300/gate	280/gate
4' Corner Post	45/post	128/post	75/post	80/post
4' End Post	35/post	105/post	70/post	69/post
6' High, 9 Gauge	\$8.89/foot	\$10.95/foot	\$10.60/foot	\$13.75/foot
6' High Gate	190/gate	440/gate	489/gate	330/gate
6' Corner Post	75/post	140/post	182/post	115/post
6' End Post	60/post	125/post	130/post	85/post
Barb Wire (3 Wire)	.25/foot	1.20/foot	.75/foot	1.60/foot

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

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

WHEREAS, this Town Board adopted a program for road and drainage improvements in the Cedargrove Heights area of the Town of Cheektowaga using community Development Block Funds, AND

WHEREAS, the Town desires to proceed with Stage II, Phase VII of this road and drainage improvement project, which project is to make improvements at the northeast end of Cedargrove Circle, the east end of Maryvale Drive and Nugget Drive, AND

WHEREAS, the Engineering Department has informed this Town Board that plans and specifications have been completed by Nussbaumer & Clarke, Inc. and bids can be accepted, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders in connection with said Cedargrove Heights Stage II, Phase VII Road and Drainage Project, notice to be published in THE BUFFALO NEWS, THE BUFFALO CHALLENGER and THE CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed proposals will be received by the Town of Cheektowaga on the 24th day of June 1991 at 11:00 A.M., Local Time at the Town Hall, at which time and place they will be publicly opened and read aloud.

* * * * *

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 24th day of June, 1991, at 11:00 a.m. local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials, and incidentals required for the reconstruction of streets, drainage systems, and related work, constituting Stage II, Phase VII of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

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 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 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.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedargrove Heights, Neighborhood Improvement Program, Stage II, Phase VII."

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

Item No. 5 continued

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

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

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

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

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.

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

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order of Commence Work" has been issue.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: June 3, 1991
Published: June 6, 1991

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 6, 1991.....;
last publication.....June 6, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this6th.....

day ofJUNE....., 1991...

.....Margaret J. Bourdette.....

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

**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 24th day of June, 1991, at 11:00 a.m. local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials, and incidentals required for the reconstruction of streets, drainage systems, and related work, constituting Stage II, Phase VII of the Cedar-grove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

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 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 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 ex-

cess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedar-grove Heights, Neighborhood Improvement Program, Stage II, Phase VII."

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

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

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

The successful bidder will be required to furnish a performance bond

acceptable to the Owner, in an amount equal to the contract award.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will no 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.

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

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order of Commence Work" has been issued.

BY ORDER OF:
THE TOWN OF
CHEEKTOWAGA
Richard M. Moleski,
Town Clerk
Dated: June 3, 1991

PUBLISH: June 6, 1991

134
52.93

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 24th day of June, 1991, at 11:00 a.m. local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials, and incidentals required for the reconstruction of streets, drainage systems, and related work, constituting Stage II, Phase VII of the Cedar Grove Heights, Neighborhood Improvement Program, 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 are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14221.

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 checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as 'Proposal for the Cedar Grove Heights, Neighborhood Improvement Program, Stage II, Phase VII'.

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.

S e this _____ 11th _____ day
O 19 91

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

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

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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.

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

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the 'Order of Commence Work' has been issued.

BY ORDER OF THE
TOWN OF CHEEKTOWAGA
RICHARD M. MOLESKI
Town Clerk
Dated June 3, 1991

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that she/~~he~~ is Principal Clerk of THE BUFFALO NEWS, DIV. OF BERKSHIRE HATHAWAY 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 1 time, the insertion being on the 8th day of June 1991

D. Eileen Perry

Dates Ad Ran : 6/8

Paul E. Bielman
Notary Public, Erie County, New York

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 30, 1991

experience. Resumes: people, Inc., 737 Delaware Ave., Buffalo, NY 14209 attn: Personnel. Specify "COTA" EOE.

**DIRECTOR
HEALTH RELATED RESIDENCES**

People, Inc., a leader in serving the disabled through community programs, seeks individual with MA in Human Services field plus 4 years experience in direct services in developmental disabilities to include 1 year individual program development (QMRP) and 3 years supervisory experience. Director will assume administrative & clinical responsibility for Health Related/ICF/Residences. Excellent benefit package. Submit resume to:

PEOPLE, INC.
737 Delaware Ave.
Buffalo, NY 14209
Attn: Personnel
EOE

DIRECTOR OF MARKETING & PUBLIC RELATIONS: Nat'l headquarters of non-profit org. seeks ind. with exp. in special events fundraising, marketing & corporate relations. Must have excellent organizational & communication skills. Exp. in special events fundraising req'd; desktop publ. pref'd. BA req'd; MA pref'd. Send resume with cover letter & salary req. to: EPIC, 1300 Elmwood Ave., Cassedy Hall Rm. 340, Buffalo, NY 14222. EOE.

ENVIRONMENTAL MONITOR: Bachelor's degree in chemistry or chemical engineering or in the natural and physical sciences, including or supplemented by 24 semester credit hours in chemistry or chemical engineering and one year experience as a chemist or chemical engineer in hazardous waste, industrial hygiene or organic and inorganic analyses. Send resume to NYS Department of Environmental Conservation, 600 Delaware Ave., Buffalo, New York 14202-1073.

The New York State Department of Environmental Conservation is an equal opportunity employer. Women, minorities and protected classes are encouraged to apply.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals received and considered by the Town Board of Cheektowaga, County of Erie, State of New York on the 11th day of June, 1991, at 11:00 a.m. local time, in the Town of Cheektowaga, New York for furnishing tools, equipment, materials, and incidentals required for reconstruction of streets, drainage systems, and related work constituting Stage II, Phase VII of the Cedargrove Neighborhood Improvement Program, complete, and ready for use in accordance with the Contract Documents, including Plans, Specifications, Instructions, etc., prepared by Nussbaumer & Clarke, Inc., Engineers for said project, and approved by the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Street, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Specifications and Instruction to Bidders may be examined at the above office and at the office of the Engineer, 275 Alexander Street, Buffalo, New York 14202. Copies are available for purchase at the office of Nussbaumer & Clarke, Inc., at a price of \$50.00 per set of documents. Two checks, each for half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14221 and marked as "Proposal for the Cedargrove Neighborhood Improvement Program, Stage II, Phase VII".

The right to reject any and all bids, to waive any informalities, or to make an award to other than the low bidder, shall be deemed to be in the best interest of the Town of Cheektowaga.

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

WHEREAS, Chapter 42 of the Code of the Town of Cheektowaga (Liability of Town: Prior Notice Required) was enacted in 1959 and contains prior notice requirements for making a claim against the Town, and

WHEREAS, it has been recommended by the Town's Insurance Consultant and Town Attorney that such chapter be repealed and a new local law be adopted in order to update prior notice requirements and to clarify such law, and

WHEREAS, a public hearing was held on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall for the purpose of considering the advisability of repealing Chapter 42 of the Code of the Town of Cheektowaga and of adopting Local Law No. 1 of the Year 1991, entitled "A Local Law Providing For Written Notification of Defects and Obstructions on Town Property and Highways in the Town of Cheektowaga", NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 1 of the Year 1991, entitled "A Local Law Providing for Written Notification of Defects and Obstructions on Town Property and Highways in the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that, within five (5) days of its adoption, the Town Clerk shall file one (1) certified copy of this Local Law in his office and three (3) certified copies with the Secretary of State, and BE IT FURTHER

RESOLVED, that Local Law No. 1 of the Year 1991 shall take effect upon its filing with the Secretary of State.

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

(Use this form to file a 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. 1 of the year 19 91.

A local law Providing for Written Notification of Defects and Obstructions on Town
(Insert Title) Property and Highways in the Town of Cheektowaga.

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Cheektowaga as follows:
Town
~~Village~~

See attached pages 4 - 6 for text of law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. 1 of 1991 of the ~~(County)(City)(Town)(Village)~~ of Cheektowaga was duly passed by the Town Board on 1991, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the (County)(City)(Town)(Village) of was duly passed by the on 19 , and was (approved)(not disapproved)(repassed after disapproval) by the and was deemed duly adopted on 19 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the (County)(City)(Town)(Village) of was duly passed by the on 19 , and was (approved)(not disapproved)(repassed after disapproval) by the on 19 . Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 19 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the (County)(City)(Town)(Village) of was duly passed by the on 19 , and was (approved)(not disapproved)(repassed after disapproval) by the on 19 . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 19 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*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 the 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 section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Richard M. Moleski
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: June 4, 1991

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

James J. Krivits
Signature
Town Attorney
Title

~~County~~
~~City~~ of Cheektowaga
Town
~~Village~~

Date: June 4, 1991

LOCAL LAW NO. 1 OF THE YEAR 1991

A LOCAL LAW ENTITLED "A LOCAL LAW PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS AND OBSTRUCTIONS ON TOWN PROPERTY AND HIGHWAYS IN THE TOWN OF CHEEKTOWAGA (Chapter 42 of the Code of the Town of Cheektowaga, New York).

BE IT ENACTED by the Town Board of the Town of Cheektowaga, New York as follows:

Section 1. Purpose.

The purpose of this local law is to provide that no civil action shall be maintained for damages or injuries in consequence of any streets, sidewalks, buildings or other facilities being defective, out of repair, unsafe, dangerous, obstructed or in consequence of any snow or ice thereon unless written notice was theretofore given and there was a failure to take action within a reasonable time.

Section 2. Conditions for maintenance of civil action.

No civil action shall be maintained against the Town of Cheektowaga, any of its districts located therein, or any Town officer, agent or employee for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sign, highway marking or device, sidewalk or crosswalk, storm or sanitary sewer line or appurtenance, traffic sign or signal,

or any Town building or facility being defective, out of repair, unsafe, dangerous or obstructed or in consequence of snow and ice thereon unless it appears that written notice of such defective, unsafe, dangerous or obstructed condition, or of the existence of the snow or ice, of such highway, bridge or culvert was actually given to the Town Clerk or Town Superintendent of Highways of the Town of Cheektowaga and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of, or to cause the snow or ice to be moved or place made otherwise reasonably safe.

Such written notice shall be dated and signed and shall, among other things, specify the particular place and condition alleged to be out of repair, unsafe, dangerous or obstructed or the place and extent of the existence of the snow or ice and shall be actually given to the Town Highway Superintendent or Town Clerk.

Section 3. Action upon receipt of written notices.

The Town Superintendent of Highways shall transmit in writing to the Town Clerk, within ten (10) days after receipt thereof, all written notices received by him pursuant to this local law. The Town Clerk shall cause all written notices received by him or her pursuant to this local law to be recorded and preserved pursuant to Town Law §65-a(4)..

Section 4. Supersession of statute.

This local law shall supersede in its application to the Town of Cheektowaga Subdivisions 1 through 3 of § 65-a of the Town Law."

Section 5. Repealer.

Chapter 42 of the Code of the Town of Cheektowaga (Liability of Town: Prior Notice Required), originally adopted as Ordinance No. 28, is hereby repealed.

Section 6. Severability.

If any clause, sentence, paragraph, or part of this local law or application thereof to any person or circumstances shall be adjudged by any court to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph, or part thereof and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

Section 7. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

MEETING NO. 11
June 3, 1991

Item No. 6b Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, under Chapter 78 of the Code of the Town of Cheektowaga, procedures are established for the removal, towing and storage of disabled motor vehicles, and

WHEREAS, occasionally, some of these towed vehicles become abandoned vehicles, as such term is defined in the State Vehicle and Traffic Law, and

WHEREAS, Section 1224(6) of the Vehicle and Traffic Law authorizes this Town Board to adopt a local law to permit the conversion of some of these abandoned vehicles to Town use, and

WHEREAS, a public hearing was held on the 20th day of May, 1991 at 7:30 P.M. at the Town Hall to consider the advisability of adopting a local law known as "A Local Law to Amend Local Law No. 2 of the Year 1986" to authorize the conversion of abandoned vehicles to Town use, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 2 of the Year 1991, entitled "A Local Law to Amend Local Law No. 2 of the Year 1986," which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that, within five (5) days of its adoption, the Town Clerk shall file one (1) certified copy of this Local Law in his office and three (3) certified copies with the Secretary of State, and BE IT FURTHER

RESOLVED, that Local Law No. 2 of the Year 1991 shall take effect upon its filing with the Secretary of State.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a 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. _____ of the year 19 91

A local law to Amend Local Law No. 2 of the Year 1986
(Insert Title)

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

~~COUNTY~~
~~CITY~~ of Cheektowaga as follows:
Town
~~VILLAGE~~

See attached pages 4 - 11 for text of law
as amended

(If additional space is needed, attach pages the same size as this sheet, and number each.)
(1)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. _____ of 19 91 of the ~~(County)(City)(Town)(Village)~~ of Cheektowaga was duly passed by the Cheektowaga Town Board on _____ 19 91, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

*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 the 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 section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Richard M. Molestki
Clerk of the County legislative body City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: June 4, 1991

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

James J. Kuritsa
Signature
Town Attorney
Title

XXXXXX
City of Cheektowaga
Town
XXXXXX

Date: June 4, 1991

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.

§78-6.1. Annual License Fee.

- A. Prior to approval or reissuance of a letter of authorization, an authorized town tower shall remit an annual license fee of one thousand five hundred dollars (\$1,500.00) to the Town
- B. The letter of authorization shall not be transferable and the annual license fee therefor shall not be pro-rated.
- C. For the calendar year 1990 only, the annual license fee shall be payable as follows;

- On or before effective date of this section	\$500.00
- On or before 6/1/90	\$500.00
- On or before 10/1/90	\$500.00

Otherwise the annual license fee shall be due upon issuance or reissuance of the letter of authorization.

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 78-11.A. CONVERSION OF ABANDONED VEHICLES

Any vehicle towed pursuant to this chapter or otherwise caused to be towed by the Town which shall become an abandoned vehicle may be converted to Town use pursuant to Section 1224(6) of the Vehicle and Traffic Law of the State of New York.

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.

§78-13. Fee Schedule

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

A. Passenger vehicles and light trucks.	
(1) Standard Tow (vehicles up to 10,000 lbs.)	\$ 55.00
(2) Flat Bed	70.00
(3) Additional Fees for Labor, Recovery and Towing:	
(a) Truck and Driver Hourly Rate	60.00
(b) Dolly Wheels	15.00
(c) Trailer for Motorcycle, ATV/C, Snowmobile	15.00
(d) Winching (per 1/4 hour)	15.00
(4) Storage (per day)	10.00
(5) Releasing after 5:00 p.m. Weekdays or Other than Required Business Hours on Saturday, Sunday and Holidays	15.00
B. Heavy trucks, buses, tractor trailers and machinery	
(1) Hook up and Tow, vehicle over 10,000 lbs.	\$100.00
(2) Additional Labor Fees for Heavy Vehicles Recovery and Towing:	
(a) Air Hookup	15.00
(b) Mechanically Release Brakes (per axle)	15.00
(c) Drop Trailer from Tractor	20.00
(d) Remove Axle (per axle)	20.00
(e) Remove Drive Shaft	25.00
(f) Remove Bumper	25.00
(3) Trailer Towed Behind Vehicle	50.00
(4) Winching	100.00
(5) Additional Labor (hourly per person)	40.00
(6) Flatbed (per hour)	100.00
(7) Storage: (per 24-hour day)	
(a) Tractor	15.00
(b) Trailer	15.00
(c) Bus	15.00
(d) Truck over 20 Feet Long	15.00

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.

MEETING NO. 11
June 3, 1991

Item No. 7a Request State Senate and Assembly to Approve the Town's Home Rule for Senate Bill No. 2684 and Assembly Bill No. 4056
This item has been withdrawn.

Item No. 7b Motion by Councilman Gabryszak, Seconded by Councilman Solecki

WHEREAS, by resolution dated May 6, 1991, this Town Board requested the State Senate and Assembly to approve the Town's Home Rule Request for Senate Bill No. 3222-A/Assembly Bill No. 4872-A to authorize the Town to sell a portion of unutilized park land located on Rehm Road in the Town, and

WHEREAS, Senator Volker's Office has notified the Town that such bill has been amended and therefore a new request from the Town is required, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the State Senate and Assembly to approve the Town's Home Rule Request for Senate Bill No. 3222-B/Assembly Bill No. 4872-B, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to submit the necessary copies of the Home Rule Request forms for such bill to the Home Rule Counsels for the State Senate and Assembly and copies of same to Senator Dale M. Volker and Assemblyman Paul A. Tokasz.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga Youth and Recreational Services Department, as part of its 1991 summer program desires to use the Maryvale High School Gymnasium and gymnastics equipment to offer gymnastics, and

WHEREAS, prior to authorizing the Town to use the Maryvale High School this year, the Cheektowaga-Maryvale School District has requestd that the Town of Cheektowaga indemnify and hold harmless the School District for any damages, lawsuits, etc. which arise as a result of the Town's use of such school property, and

WHEREAS, this Town Board feels that the request of the Cheektowaga-Maryvale School District is reasonable and desires to accede to such request, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby agrees to indemnify and hold harmless the Cheektowaga-Maryvale School District, its officers, agents and employees from all claims, demands, suits and judgments for bodily injury or property damage arising out of the Town's use of the Maryvale High School facilities for its 1991 summer gymnastics program.

Upon Roll Call....

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

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

WHEREAS, N-L Industries has commenced proceedings against the Assessor, the Board of Assessment Review and the Town of Cheektowaga, pursuant to Article 7 of the Real Property Tax Law of the State of New York, for the tax years 1986/1987, 1987/1988, 1988/1989, 1989/1990 and 1990/1991, AND

Item No. 9 continued

WHEREAS, N-L Industries and the Town of Cheektowaga have had extensive settlement negotiations and after due consideration of all material facts, N-L Industries and the Town have agreed to resolve their differences without further litigation and to settle and terminate the proceedings, AND

WHEREAS, the attorneys for N-L Industries and the Town have prepared the attached Settlement Agreement, AND

WHEREAS, the Town Assessor has recommended the attached Settlement Agreement be approved by this Town Board, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby approve the attached Settlement Agreement between N-L Industries and the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that special counsel to the Town and the Assessor be and hereby are authorized to sign any and all legal documents necessary to effectuate such settlement AND BE IT FURTHER

RESOLVED, that this Town Board does direct that the Settlement Agreement be submitted to the Supreme Court of the State of New York for an Order approving said Settlement Agreement between N-L Industries and the Town of Cheektowaga

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

At a Special Term of the Supreme Court of the State of New York, held in and for the County of Erie at the Erie County Court-house, Buffalo, New York on the _____ day of May, 1991

STATE OF NEW YORK :
SUPREME COURT : COUNTY OF ERIE

Hon. _____, J.S.C.

In the Matter of

NL INDUSTRIES, INC./
REICHOLD CHEMICALS,

Petitioners,

ORDER

-against-

THE ASSESSOR AND THE BOARD OF
ASSESSMENT REVIEW OF THE TOWN OF
CHEEKTOWAGA, AND TOWN OF
CHEEKTOWAGA, COUNTY OF ERIE
NEW YORK

<u>Index No.</u>	<u>Tax Year</u>
H76880-86	1986/87
H92373-87	1987/88
10190-88	1988/89
11197-89	1989/90
13807-90	1990/91

Respondents.

PETITIONERS having heretofore commenced the within proceeding under Article 7 of the Real Property Tax Law to review the assessment of a certain parcel of real property located at and known as 4201 Genesee Street, in the Town of Cheektowaga, County of Erie and State of New York (S.B.L. No. 92.03-1-15) for the tax years 1986-87, 1987-88, 1988-89, 1989-90 and 1990-91 and it now being proposed that the within proceeding be settled upon the terms and conditions set forth in the annexed Settlement Agreement entered into between the parties, and it appearing that the proposed settlement is in the best interests of the parties hereto and upon reading and filing said Settlement Agreement,

Now, on joint motion of Joseph Galvin Sacco Esq., attorney for the Respondent, and Jerrold F. Janata, Esq., attorney for the Petitioners, it is hereby,

ORDERED AND ADJUDGED, that the proposed settlement as set forth in the Settlement Agreement annexed hereto be, and the same hereby is, determined to be reasonable, just and in the best interest of the parties and that the same be, and hereby is, approved.

Justice of the Supreme Court

GRANTED:

SETTLEMENT AGREEMENT

WHEREAS, Petitioners have instituted proceedings under Article 7 of the Real Property Tax Law, by which Petitioners seek to obtain judicial review and reduction of the assessment of certain real property in the Town of Cheektowaga, Erie County, State of New York, known as 4201 Genesee Street (S.B.L. No. 92.03-1-15) on the tax assessment rolls for the tax years 1986-87, 1987-88, 1988-89, 1989-90 and 1990-91 and,

WHEREAS, Petitioners and Respondents have had extensive settlement negotiations, and after due consideration of all material facts, Petitioners and Respondents have agreed to resolve their differences without further litigation and terminate said proceedings.

It is now stipulated and agreed:

1. The assessment of 4201 Genesee Street (S.B.L. No. 92.03-1-15) on the tax assessment rolls for the 1986-87, 1987-88, 1988-89, 1989-90 and 1990-91 has been as follows:

1986-87 - Total Assessment \$1,650,000.00
1987-88 - Total Assessment \$1,650,000.00
1988-89 - Total Assessment \$1,650,000.00
1989-90 - Total Assessment \$1,675,000.00
1990-91 - Total Assessment \$1,675,000.00

2. The Assessment of 4201 Genesee Street (S.B.L. No. 92.03-1-15) on the tax assessment rolls for 1986-87, 1987-88, 1988-89, 1989-90 and 1990-91 shall be adjusted as follows:

1986-87 - Total Assessment - no change

1987-88 - Total Assessment - no change

1988-89 - Total Assessment - \$1,400,000.00

1989-90 - Total Assessment - no change

1990-91 - Total Assessment - no change

1991-92 - Total Assessment - \$1,000,000.00

1992-93 - Total Assessment - \$1,000,000.00

1993-94 - Total Assessment - \$1,336,000.00

3. The parties acknowledge that this assessment as adjusted is fair, equitable and proper for the purposes of this settlement.

4. There shall be audited allowed and paid by the Town of Cheektowaga, County of Erie and Maryvale School District to Petitioner, the amount if any paid by Petitioners as taxes against the assessment for the year 1988-89 in excess of what the taxes should have been as hereinorder, without interest providing the refund of taxes is paid within sixty (60) days from the date of service with certified copy of a court order with notice of entry.

5. Petitioners shall not be entitled to any refund of taxes for any years other than 1988-89.

6. The attorneys for the parties hereby stipulate to a discontinuance of the within proceedings. Petitioners covenant that the said Petitioners their distributees, successors and assigns, shall not protest any assessor nor commence any proceeding to review any assessment in regard to the real property described herein with respect to the assessment completed for the taxable status dates of June 1, 1991 and June 1, 1992, so long as the full value of assessment of said property does not exceed the amount of \$1,000,000.00.

7. Notwithstanding the foregoing, if any assessment additions or improvements are made to the property after the date of this Agreement and before the taxable status date for the tax assessment rolls of 1993-94, the assessment may be adjusted accordingly, in which case Petitioners shall have the right to seek relief from the assessment, as adjusted. Further should any portion of the premises be sold the assessment may be adjusted on the portion sold.

8. There shall be no costs or disbursements for or to any of the parties.

9. This Agreement constitutes the entire understanding and Agreement among the parties and supersedes any previous understandings and Agreements between the parties.

10. The parties authorize their attorneys to seek an order of the Supreme Court approving the terms of this Settlement Agreement, and this Settlement Agreement is conditioned upon such approval.

JOSEPH GALVIN SACCO, ESQ.
Attorney for Respondents
22 Victoria Blvd.
Kenmore, NY 14217

JERROLD F. JANATA, ESQ.
Attorney for Petitioner
25-10 21st Street
Long Island City, NY 11102

Maryvale School District
BY: _____

County of Erie
BY: _____

IN THE MATTER OF

Index No.

NL INDUSTRIES, INC.
REICHOLD CHEMICALS,

Petitioners,

ORDER

Year

-against-

Index No.	Tax year
H76880-86	1986/87
H92373-87	1987/88
10190-88	1988/89
11197-89	1989/90
13807-90	1990/91

THE ASSESSOR AND THE BOARD OF
ASSESSMENT REVIEW OF THE TOWN OF
CHEEKTOWAGA, AND THE TOWN OF
CHEEKTOWAGA, COUNTY OF ERIE,
NEW YORK,

Respondents.

CASEY, SANCHEZ, JONES, AMIGONE & KELLEHER, Of Counsel to
Attorneys for Respondents JOSEPH GALVIN SACCO, ES

Office, Post Office Address and Telephone
700 CATHEDRAL PARK TOWER
37 FRANKLIN STREET
BUFFALO, NEW YORK 14202
(716) 842-6230

Personal Service of the within and of the notice (if any)
hereon endorsed, is admitted this day of , 19

.....
Attorney(s) for

Sir:—Please take notice

NOTICE OF ENTRY

that an within entitled action on the of the County of day of on the day of , 19 , and duly entered in the office of the Clerk of which the within is a copy, was duly granted in the

To Attorney(s) for CASEY, SANCHEZ, JONES, AMIGONE & KELLEHER
Attorneys for

Sir:—Please take notice

NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for settlement to the Hon. one of the judges of the within named Court, at on the day of , 19

To Attorney(s) for CASEY, SANCHEZ, JONES, AMIGONE & KELLEHER
Attorneys for

STATE OF NEW YORK, COUNTY OF

SS.:

AFFIDAVIT OF SERVICE BY MAIL

being duly sworn, deposes and says: deponent is not a party to the action.

is over 18 years of age and resides at On , 19 deponent served the within upon attorney(s) for in this action, at

the address, designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in—a post office—official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Sworn to before me, this day of , 19

Notary Public, Commissioner of Deeds

Item No. 10 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, Louis Del Prince & Sons Inc. has submitted a Proposal to revise parking and road improvements at the Alexander Community Center, AND

WHEREAS, said proposal includes elimination of a soil separator, modifying the base at parking areas from 12" to 10" and at roadways from 16" to 12" and reducing curb depth from 24" to 18", AND

WHEREAS, the firm of Scaffidi & Moore Architects and Darryl L. Jones, Landscape Architects has reviewed and approved said proposal as being in the Town's best interest, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order #1 reducing the original contract award from \$53,800.00 to \$53,700.00, as submitted by Louis Del Prince & Sons, Inc., 580 Cayuga Road, Cheektowaga, New York 14225.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 165 Raymond Avenue, Cheektowaga, New York, SBL #113-49-2-23 and according to the Assessor's Office is owned by Frances Zietkiewicz, Buffalo, New York 14215, AND

WHEREAS, these conditions required 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 by cut and removed and the debris by removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

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

WHEREAS, the Town has submitted a Program Statement to the Department of Housing & Urban Development for Community Development Block Grant funding for the 1991-92 Program Year, and

WHEREAS, the Town's 1991-1992 program statement has been approved by the Department of Housing and Urban Development, and

WHEREAS, in addition to its C.D.B.G. entitlement allocation from the Department of Housing and Urban and Urban Development, the Town also receives program income from the operation of its housing rehabilitation & economic development revolving loan programs, and

WHEREAS, the Town also wishes to allocate said program income funds, estimated to be \$368,000 during the 1991-1992 program year, for a continuation of said housing rehabilitation and economic development revolving loan program and related activities, and

Item No. 12 continued

WHEREAS, it is necessary for the Town to execute a Grant Agreement with the Department of Housing & Urban Development for the use and receipt of 1991-92 Community Development Block Grant funds, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Grant Agreement with the Department of Housing and Urban Development on behalf of the Town for the 1991-92 Program Year and to allocate anticipated program income funds in its Program Statement to the housing rehab and economic development revolving loan programs and activities respectively for the 1991-92 program year and to notify H.U.D. of same.

Upon Roll Call....

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

Item No. 13 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network ("MAGLOCLEN") will be sponsoring a conference in Baltimore, Maryland from June 10-14, 1991 on organized crime, homicides, narcotics, etc., and

WHEREAS, Lt. James Starr is the Town Police Department's liaison with MAGLOCLEN and his continued membership in such organization requires that he attend such conference, and

WHEREAS, all expenses associated with Lt. Starr's attendance at this conference will be paid by MAGLOCLEN, and

WHEREAS, the Chief of Police has requested permission for Lt. Starr to attend this conference, NOW, THEREFORE, BE IT

RESOLVED, that Lt. James Starr be and hereby is authorized to attend the aforementioned MAGLOCLEN conference from June 10-14, 1991 in Baltimore, Maryland.

Upon Roll Call....

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

Item No. 14a Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

BE IT RESOLVED that the below listed individuals be terminated from the Cheektowaga Youth and Recreational Services Department effective immediately:

Adapted Recreation Program - 01-7310-0001-1803

- Dave Topor 14225
- Kristen Weir 14043
- Tracy Hoerner 14043

Upon Roll Call....

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

Item No. 14b Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are terminated as listed:

Item No. 14b continued

EFFECTIVE

SANITATION DEPARTMENT

David Montfort
Robert Stando

Immediately
"

SEWER DEPARTMENT

Donald Nowakowski
Timothy Danner

6/14/91
"

Upon Roll Call....

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

Item No. 15 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski
Councilman Kulyk

WHEREAS, the Town has determined that a need exists to create eight (8) part-time Public Safety Dispatcher positions in the Police Department, AND

WHEREAS, the creation of such part-time positions has been approved by the Erie County Department of Personnel, as temporary, pending jurisdictional classification, NOW, THEREFORE, BE IT

RESOLVED, that eight (8) part-time positions of Public Safety Dispatcher be and hereby are created, pending jurisdictional classification pursuant to the rules of the Erie County Department of Personnel, AND, BE IT FURTHER

RESOLVED, that the Employee Relations Department be and hereby is directed to process the necessary paperwork to obtain such classification.

Upon Roll Call....

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

Item No. 16 Motion by Councilman Kulyk, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that Suzanne Ozolins, temporary Clerk-Typist in the Accounting/Payroll Department, be and hereby is returned to her position of part-time clerk in the Accounting/Payroll Department, effective June 3, 1991.

Upon Roll Call....

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

Item No. 17 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, due to a retirement, a vacancy exists in the position of Clerk-Typist in the Accounting/Payroll Department, AND

WHEREAS, said vacancy was posted in accordance with the terms and conditions of the Town's agreement with the Town of Cheektowaga Employees Association, AND

WHEREAS, said vacant position falls within the competitive class of Civil Service, AND

Item No. 17 continued

WHEREAS, the existing Civil Service list for said position has been canvassed, AND

WHEREAS, Christine Lacey appears on said Civil Service list and has been interviewed and meets all the qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Christine Lacey be appointed to the position of Clerk-Typist in the Accounting/Payroll Department, effective June 4th, 1991, and at a salary in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal Employees in the various departments listed, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) weeks in a calendar year:

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour

Paul Tadak	(Laborer)	Immediately
John Skonecki	"	"
Kevin Wojtaszczyk	"	"
David Hyla	"	"

Upon Roll Call....

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

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN JAWOROWICZ TO DISPENSE WITH READING OF THE NAMES IN ITEM NO. 18b AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

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

BE IT RESOLVED that the following individuals be hired as seasonal employees, not to exceed 24 weeks, to aid the Cheektowaga Youth and Recreational Services Department in conducting its 1991 summer programs:

POOL DIRECTOR \$350 per week - A7180.1902

Brian Hansen

14043

Item No. 18b continued

SPECIAL EVENTS SUPERVISOR - \$275 per week - A7180-1902

John Hartman 14227

POOL SUPERVISOR I - \$7.65 per hour - A7180.1902

Catherine Giles 14206
Kevin Kuehmeier 14225

POOL SUPERVISOR II - \$7.25 per hour - A7180.1902

Kathleen Bobeck 14227
Michelle Kunkel 14225
Pamela Miller 14225

ASSISTANT POOL SUPERVISOR - \$5.50 per hour - A7180.1903

Douglas Kenjockety 14206
Denise Szalasny 14206
Deborah Hartman 14227

LIFEGUARD I - \$5.00 per hour - A7180.1903

Tammy Bielawa 14212
Andrea Lynn Bitterman 14225
Michael Callahan 14227
Theresa C. Cielinski 14227
Christine Elizabeth Conley 14227
Rebecca Dziewa 14212
Renee Gajewski 14211
Ann Marie Gorski 14225
Ryan P. Houlahan 14225
Jacqueline Houser 14225
Suzanne Johnson 14225
Jennifer Kemp 14225
Jill Kinney 14225
Karen Kuehmeier 14225
Lori Torgalski 14225
Jason Kenjockety 14206
Jared Daniel Martin 14043
Michael Mekarski 14225
Andrea Nietopski 14225
Edward J. Pawlowski 14043
Amy Lou Pszczolkowski 14211
Dawn Marie Pszczolkowski 14211
Brian Roehmholdt 14225
Keith Sokolowski 14206
Keith Stachura 14225
Denise Tasca 14206
Brian Tokarczyk 14227

LIFEGUARD III - \$4.50 per hour - A7180.1903

Gregory Bean* 14225
Amy Dauscher* 14206
Michele M. Olewnik* 14227
Derek Prellwitz* 14206
John Thomas Jones Jr.* 14227
Amber Lynn Gorzynski* 14206
Amy M. Owens* 14227
Eric Kazukiewicz* 14043
Kelly Marie Sweeney* 14225
Denee Lynne Schallmo* 14225

MEETING NO. 11
June 3, 1991

Item No. 18b continued

SOCCER INSTRUCTOR II - \$4.50 per hour - A7140.1611

Gregory T. DeWald 14225
Mark P. Wanat 14211

GYMNASTICS INSTRUCTOR I - \$5.50 per hour - A7140.1615

Jenny Mae Krier 14225

GYMNASTICS RECREATION ATTENDANT I - \$4.75 per hour - A7140.1614

Mark Monaco 14225

GYMNASTICS ATTENDANT II - \$4.50 per hour - A7140-1614

Kimberly Orschek 14225
Maria DiGiancomo 14225
Caren Morella 14225

TENNIS COURT SUPERVISOR - \$190.00 per week - A7140.1613

Amy Beth Skretny 14227

TENNIS COURT INSTRUCTORS - \$160.00 per week - A7140.1613

Andrew W. Boczkowski 14227
Anthony Lorigo 14227
Donald E. Nowak, Jr. 14227
Jeffrey J. Schneider 14227
Mark Szymusiak 14043

PLAYGROUND SUPERVISORS - \$6.00 per hour - A7140.1613

Deborah Braniecki 14206
Mary Lou Czajka 14225
Peter Odrobina 14043
Bernard Ruda 14227
Jill Sam 14225
Mary Pat Speyer 14043

THEATER SUPERVISOR - \$6.00 per hour A7140.1613

Thomas Kazmierczak, III 14225

TINY TOTS SUPERVISOR - \$6.00 per hour - A7140.1613

Joanne Miranda 14225

TINY TOTS INSTRUCTOR I - \$5.50 per hour - A7140.1613

Carol Ann Belke 14225
Faye Hertel 14215

TINY TOTS INSTRUCTOR II - \$5.00 per hour - A7140.1613

Renee Klein 14206

RECREATION ATTENDANT I - \$4.75 per hour - A7140.1614

Kevin Burke 14206
Thomas Minorczyk 14206
Mark Ostempowski 14206
Amy Sieczkarek 14227

Item No. 18b continued

RECREATION ATTENDANT II - \$4.50 per hour - A7140.1614

Tammie Acquisto	14227
Lori Bucolo	14043
Keith Bova	14225
Jennifer Krajna	14227
Kelly Moreno	14043
Donna Bartochowski	14227
Wendy Sala	14043
Andrea Rzeski	14211

RECREATION ATTENDANT III - \$4.25 per hour - A7140.1614

Jason Cwiklinski	14206
James Lacki	14227
Jeffrey Rogowski	14212
John Rogowski	14212
Shawn Mesler	14225

AEROBICS INSTRUCTOR - \$5.50 per hour - A7140.1612

Laila Desjardins	14227
Bonnie Nowicki	14225

COUNSELOR I - \$4.25 per hour - A7310.1802

Amanda Cieslak	14206
Dawn Zilbauer	14225
Maria Giangreco	14225
Carol Wichlacz	14227
Cecelia Panak	14227

COUNSELOR II - \$4.50 per hour - A7310.1802

Denise Jaskowiak	14206
Angela Krause	14043

ACTIVITY DIRECTOR - \$6.00 per hour - A7310.1802

Marie Juergens	14225
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COUNSELOR III - \$4.75 per hour - A7310.1802

Lorianne Velez	14225
Debbie Reed	14227
Doreen Skowron	14212

COUNSELOR III - (Alternate) - \$4.75 per hour - A7310.1802

Grace Glenn	14225
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BE IT RESOLVED that the following individuals be transferred from the Adapted Recreation Program to the Summer Day Camp Developmentally Disabled - A7310-1802:

Amy Wetmore	14227
Jennifer Tobolski	14227
Kristen Loughlin	14225

COUNSELOR II - \$4.50 per hour - A7310.1802

Amy Furminger	14043
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COUNSELOR III - \$4.75 per hour - A7310.1802

Elizabeth Gagola	14225
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Item No. 18b continued

PROGRAM COORDINATOR - \$7.75 per hour

Deborah Ann Fleetwood 14043

ASSISTANT PROGRAM COORDINATOR - \$6.75 per hour

Paulette Mecca 14225

SENIOR COUNSELOR - \$5.00 per hour

Anne Priester 14225

Christy Male 14225

Kathy Miller 14227

ACTIVITY DIRECTOR - \$6.00 per hour

David Imiola 14227

Barbara Zielinski 14225

Paul Marchewka 14227

BE IT RESOLVED that the following individuals be transferred from the Adapted Recreation Program to the Summer Day Camp Developmentally Disabled with the following changes - A7310.1802:

COUNSELOR III TO SENIOR COUNSELOR - \$5.00 per hour

Cindy Principato 14225

Colleen Schaub 14227

COUNSELOR I TO COUNSELOR II - \$4.50 per hour

Karen Noworyta 14043

COUNSELOR II TO COUNSELOR III - \$4.75 per hour

Linda Mutka 14225

Laura Mutka 14225

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Solecki
Rogowski and Blachowski

NAYES: Councilman Kulyk

ABSENT: 0

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

BE IT RESOLVED, that the following individuals be and hereby are hired as part-time employees, not to exceed 19 hours on an annual basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

EFFECTIVE

CENTRAL GARAGE - \$5.00 per hour (P.T. Clerical)

Geraldine Sobocinski Immediately

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Kenneth E. Maksymik Immediately

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Scaffidi & Moore, Architects, has submitted a proposal to provide professional services for Sash Replacement at the Alexander Community Center for a fee not to exceed 9% of the construction cost, AND

WHEREAS, said professional services shall include Specifications, Working Drawing and on site Inspections for the entire Sash Replacement project to be completed in a number of phases based on available funding sources, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains the firm of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226 at, at a fee not to exceed 9% of the construction cost for Phase I Sash Replacement at the Alexander Community Center, AND, BE IT FURTHER

RESOLVED, that funds for such action are available from Capital Improvement Account #5012-1625-1100.

Upon Roll Call....

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

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

WHEREAS, Scaffidi & Moore, Architects, has submitted a proposal to provide professional services for Roof and partial Sash Replacement at the North Branch Library for a total fee not to exceed 9% of the construction cost, AND

WHEREAS, said professional services shall include Specifications, Working Drawings and on site Inspections for the Roofing and partial Sash Replacement, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby retains the firm of Scaffidi & Moore, Architects, 4535 Bailey Avenue, Buffalo, New York 14226, at a fee not to exceed 9% of the construction cost of Roof and partial Sash Replacement at the North Branch Library, AND, BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5815-7410-1100.

Upon Roll Call....

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

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY COUNCILMAN KULYK TO DISPENSE WITH READING OF THE FIGURES IN ITEM NO. 20 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 20 Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

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

Item No. 20 continued

GENERAL FUND

FROM:	0100-1220-1374	Other Clerical	\$18,000.00
	0100-7310-4671	Youth Service Projects	65.50
	0100-7310-4671	Youth Service Projects	35.40
	0100-7310-4671	Youth Service Projects	72.00
	0100-7140-1361	Senior Clerk, Playground	1,883.00
	0100-7310-4694	Youth Employment Program	893.34
	0100-7310-1811	Conservation Corp-Supervisors	3,000.00
	0100-7310-1811	Conservation Corp-Supervisors	5,000.00
	0100-7140-4491	Special Events	10,698.00
	0100-1910-4711	Contingency	5,500.00
TO:	0100-1220-1341	Junior Accountant	\$18,000.00
	0100-7140-4024	Arts & Crafts	65.50
	0100-7140-4024	Arts & Crafts	35.40
	0100-7140-4191	Miscellaneous	72.00
	0100-7620-1361	Senior Clerk, Senior Services	1,883.00
	0100-7310-4693	Adapted Rec. Program	143.34
	0100-7310-1812	Youth Conservation Corp-Participants	750.00
	0100-7310-4689	Youth Conservation Corp-Supplies	3,000.00
	0100-7310-1812	Youth Conservation Corp-Participants	5,000.00
	0100-7310-2501	Office Equipment	10,698.00
	0100-9950-8729	Transfer to Capital Projects	5,500.00

SPECIAL DISTRICTS

FROM:	2500-8125-1424	Sewer Maintenance Man	\$25,000.00
TO:	2500-8125-1411	Sewer Cleaner	25,000.00

HUD-CDBG

FROM:	0700-8686-0704	Contingency	\$ 2,240.00
TO:	0700-8686-0703	Administration	2,240.00

Upon Roll Call....

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

Item No. 21 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to May 30, 1991, are hereby approved and made a part hereof:

GENERAL FUND	\$ 78,480.60
HIGHWAY FUND	19,651.45
TRUST & AGENCY	3,904.10
CDBG HUD FUND	16,800.97
PART TOWN FUND	349.45
HUD REHABILITATION FUND	2,876.38
SPECIAL DISTRICTS	27,243.80
CAPITAL FUND	188,668.07
TOTAL	<u>\$337,974.82</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATION

Item No. 22 Building Permits.
Received and Filed.

Item No. 23 Minutes of Traffic Safety Commission - May 1991.
Received and Filed.

V. GENERAL COMMUNICATION

Item No. 24 Notice of Petition: John and Angelina Valenti, Individually and as Officers of Sparkle Car Wash, Inc. vs the Cheektowaga Town Board
Copies were sent to: Frank E. Swiatek, Supervisor and Council Members.
Received and Filed.

Item No. 25a Summons & Complaint: Ann Ross vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher Kowal, Highway Superintendent; Engineering Department; Sewer Maintenance Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25b Summons & Complaint: Willie Sanders vs the Town of Cheektowaga, the Town of Cheektowaga Police Department, Sears Roebuck and Company and J.C. Penney Company, Inc.
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26a Notice of Claim: Lynn M. Leas vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Facilities Department; Youth and Recreational Services and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26b Notice of Claim: Thomas W. Sansone and Geraldine Sansone vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26c Notice of Claim: Nancy E. Kader vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Christopher J. Kowal, Highway Superintendent and Allied Claims Insurance Carrier.
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN GABRYSZAK TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

* * * * *

VI. SUSPENSION OF RULES

Item No. 27 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

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 17, 1991 at 7:30 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 6th day of June, 1991, said amendments being set forth in the Notice of Hearing.

* * * * *

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on June 17, 1991 at 7:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Columbus Street	East-west	Patricia Lane	Southbound	N.W. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

A. (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour. Delete:

Duke Road Entire length

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

C. No parking here to corner

Hillpine Road west side from the south curbline of Losson Road southerly for a distance of one hundred (100) feet

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

Item No. 27 continued

B. No parking anytime

Hillpine Road west side from the south curblin of Losson Road
southerly for a distance of one hundred sixty-
five (165) feet

C. No parking here to corner

North Seine Drive north side from the east edge of the driveway at 242
North Seine Drive easterly to the west
curblin of Denise Drive

North Seine Drive north side from the east curblin of Denise Drive
easterly thirty (30) feet to a point.

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

Dated: June 3, 1991

Richard M. Moleski
Town Clerk

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 6, 1991.....;
last publication.....June 6, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this6th.....

day ofJune....., 1991.....

.....Margaret J. Soudette.....

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

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on June 17, 1991 at 7:30 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

**ARTICLE VIII
Stop and Yield Intersections**

Section 76-80. Stop intersections designated, shall be amended by adding hereto the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Columbus Street	East-west	Patricia Lane	Southbound	N.W. Corner

**ARTICLE IX
Speed Regulations**

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

A. (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour. Delete:

Duke Road Entire length

**ARTICLE X
Parking, Standing and Stopping**

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

C. No parking here to corner

Hillpine Road	west side	from the south curblines of Losson Road southerly for a distance of one hundred (100) feet
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Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Hillpine Road	west side	from the south curblines of Losson Road southerly for a distance of one hundred sixty-five (165) feet
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C. No parking here to corner

North Seine Drive	north side	from the east edge of the driveway at 242 North Seine Drive easterly to the west curblines of Denise Drive
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North Seine Drive	north side	from the east curblines of Denise Drive easterly thirty (30) feet to a point.
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.

Dated: June 3, 1991

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 6, 1991

MEETING NO. 11
June 3, 1991

Item No. 28

Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak to adjourn the meeting.

Richard M. Moleski
Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of June, 1991 at 7:30 o'clock P.M., Eastern Daylight Saving Time there were:

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

ABSENT: Councilman William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; Robert Kaczmarek, Chief Accountant; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Ronald Marten, Building Inspector; John Schaller, Assistant Chief of Police; Donald Wegner, Zoning Inspector and Salvatore LaGreca, Chairman of Planning Board.

I. PUBLIC HEARING

Item No. 2

This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Yields</u>	<u>Sign Location</u>
Columbus Street	East-west	Patricia Lane	Southbound	N.W. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

A. (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour. Delete:

Duke Road Entire length

Item No. 2 continued

ARTICLE X

Parking, Standing and Stopping

Section 76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

C. No parking here to corner

Hillpine Road west side from the south curbline of Losson Road
southerly for a distance of one hundred (100)
feet

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

Hillpine Road west side from the south curbline of Losson Road
southerly for a distance of one hundred sixty-
five (165) feet

C. No parking here to corner

North Seine Drive north side from the east edge of the driveway at 242
North Seine Drive easterly to the west
curbline of Denise Drive

North Seine Drive north side from the east curbline of Denise Drive
easterly thirty (30) feet to a point.

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 Blachowski Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on June 3, 1991 and on June 17, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

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

Item No. 3a continued

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Duke Road	east-west leg	Duke Road north-south leg	southbound	N.W. Corner
Columbus St.	east-west	Patricia Lane	southbound	N.W. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

A. (2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour. Delete:

Duke Road Entire length

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations.

Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

B. No parking anytime

BROOKEDGE ROAD	north side	west from Borden Road, then north on east side, then west on north side, then east on south side.
HEATHER ROAD	south & east side	from the southeast curbline of Danbury Drive to the east curbline of Rosary Boulevard.
OLD LOSSON ROAD	north side	from north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to include a cul-de-sac.
OLD LOSSON ROAD	south side	from the north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.

C. No parking here to corner

HILLPINE ROAD	west side	from the south curbline of Losson Road southerly for a distance of one hundred sixty-five (165) feet.
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76-101 All-night parking.

Section 76-101 shall be amended as follows:

Delete the words "November 1 to April 1" and substitute the words "December 1 to March 1" or "November 15 to March 15."

Item No. 3a continued

Section 76-102 of the traffic ordinance shall be amended by adding thereto the following:

B. No parking anytime

BROOKEDGE ROAD	north side	of the inbound roadway westerly from the west curbline of Borden Road, then along the outside perimeter of Brookedge Road to the south side of the outbound roadway, then easterly to the west curbline of Borden Road.
OLD MARYVALE DRIVE	south & east side	from the southeast curbline of Danbury Drive to the east curbline of Rosary Boulevard.
CRABAPPLE LANE	north side	from the north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.
CRABAPPLE LANE	south side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.
HILLPINE ROAD	west side	from the south curbline of Losson Road southerly for a distance of one hundred sixty-five (165) feet.

C. No parking here to corner

ROWAN ROAD	south side	from east curbline of Ivanhoe Road easterly for 50 feet
NORTH SEINE DR.	north side	from the east edge of the driveway at 242 North Seine Drive easterly to the west curbline of Denise Drive
NORTH SEINE DR.	north side	from the east curbline of Denise Drive easterly thirty (30) feet to a point.

F. Miscellaneous parking signs

(15) No stopping

DUKE ROAD (north-south leg)	east & west side	from the south curbline of Walden Avenue to the north curbline of Duke Road (east-west leg).
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Section 2. Time to take effect.

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application

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

Item No. 3a continued

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....June 20, 1991.....;
last publication.....June 20, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....

Sworn to before me this20th.....

day ofJune....., 1991..

Margaret J. Bowdette.....

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

**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 17th day of June, 1991 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

- Supervisor Frank E. Swiatek
- Councilman Patricia A. Jaworowicz
- Councilman Dennis H. Gabryszak
- Councilman Andrew A. Kulyk
- Councilman Richard B. Solecki
- Councilman Jacqueline A. Blachowski

ABSENT: Councilman William P. Rogowski

Motion by Councilman Blachowski and Seconded by Councilman Gabryszak WHEREAS, this Town Board held a public hearing on June 3, 1991 and on June 17, 1991 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

That this Town Board determine that it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

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

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Duke Road	east-west leg	Duke Road	southbound	N.W. Corner
Columbus St.	east-west	Patricia Lane	southbound	N.W. Corner

ARTICLE IX

Speed Regulations

76.90 Applicable speed regulations, shall be amended by deleting therefrom the following:

A.(2) The speed limit for the following named town roads shall be established at thirty-five (35) miles per hour. Delete:
Duke Road Entire length

ARTICLE X

Parking, Standing and Stopping

76-102. Parking prohibited in designated locations. Section 76-102 of the traffic ordinance shall be amended by deleting therefrom the following:

B. No parking anytime

BROOKEDGE ROAD	north side	west from Borden Road, then north on east side, then west on north side, then east on south side.
HEATHER ROAD	south & east side	from the southeast curbline of Danbury Drive to the east curbline of Rosary Boulevard.
OLD LOSSON ROAD	north side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less, to and including a cul-de-sac.
OLD LOSSON ROAD	south side	from north curb of Losson Road east a distance of zero and four hundred fifty-seven thousandths (0.457) mile, more or less to and including a cul-de-sac.
C. No parking here to corner		
HILLPINE ROAD	west side	from the south curbline of Losson Road southerly for a distance of one hundred sixty-five (165) feet.

76-101 All-night parking. Section 76-101 shall be amended as follows: Delete the words "November 1 to April 1" and substitute the words "December 1 to March 1" OR "November 15 to March 15."
Section 76-102 of the traffic ordinance shall be amended by adding thereto the

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

WHEREAS, Zbigniew J. Bielinski has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by him and located at 680 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 3rd day of June 1991 at 7:00 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, this Town Board feels that the rezoning of 680 Cayuga Creek Road would not be in the best interests of the Town or the adjoining neighborhood and thus the requested rezoning should be denied based on the following reasons:

1. The rezoning would constitute spot zoning.
2. The rezoning would result in a high concentration of two-family dwellings in a R-Residential District (single family) neighborhood.
3. It would detract from the appearance of the R-Residential District neighborhood.
4. It would lower property values of other properties in the neighborhood.
5. The size of the frontage of the lot in question is inadequate, as per the Town zoning ordinance requirements.

NOW, THEREFORE, BE IT RESOLVED, that the application of Zbigniew J. Bielinski 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 denied based on the above cited reasons.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

* SEE ATTACHED LEGAL DESCRIPTION

All that tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 66, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:-

Beginning at a point in the center line of Cayuga Creek Road at the southwesterly line of lands conveyed to John Mysliwec and wife by deed recorded in Erie County Clerk's Office in liber 3969 of Deeds page 578: thence northwesterly along said southwesterly line two hundred thirty-three (233) feet: thence northeasterly parallel with the center line of Cayuga Creek Road, seventy-three (73) feet: thence southeasterly parallel with the first described course two hundred thirty-three (233) feet to the center line of Cayuga Creek Road: thence southwesterly along the center line of Cayuga Creek Road, seventy-three (73) feet to the point of beginning.

Item No. 3c Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

WHEREAS, Benjamin F. Bernard has petitioned for the rezoning from RA-Apartment District and RC-Restricted Business District to RC-Restricted Business District of property owned by Christine C. Schultz and located at 2409 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 20th day of May, 1991 at 7:00 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

1. Submission of landscape plan acceptable to Planning Board
2. Any expansion or changes to the development site plan be resubmitted to this Town Board in accordance with Section 82-71 of the Zoning Ordinance.

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, subject to the following conditions:

1. Applicant must convey creek maintenance easements acceptable to the Engineering Department to the Town
2. Landscaping for future development must be approved by Planning Board
3. NYS DOT must be approached for curb cut
4. Driveway for a distance of two car lengths from Union Road must be a minimum of 25 feet wide

and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of Benjamin F. Bernard for the rezoning from RA-Apartment District and RC-Restricted Business District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby approved subject to the above noted conditions recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee and, BE IT FURTHER

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

* SEE NEXT PAGE FOR LEGAL DESCRIPTION

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

This Indenture,

Made the 23rd day of September

Nineteen Hundred and Eighty-three

Between Paul W. Schultz
531 Main Street
West Seneca, New York

as Executor of the last Will and Testament of
William J. Schultz, late of
Town of Cheektowaga, deceased, party of the first part, and

Christine C. Schultz, residing at 2409 Union Road, Cheektowaga,
New York

Witnesseth, That the party of the first part, by virtue of the power and authority given in and by the said last Will and Testament, and in consideration of One and No More Dollars, (\$ 1.00 & No More) lawful money of the United States, do hereby grant and release unto the party of the second part, paid by the party of the second part, her heirs and assigns forever, all

That Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of the east part of Lot 61, Buffalo Creek Reservation Lands, in the Township 10, Range 7, and being that part of the lands described in a certain deed given by Anthony Groell, Executor, etc., to Larry Frankowiak and Vencenty Frankowiak, dated July 24, 1918, recorded in the Office of the Clerk of the County of Erie in Liber 1347 of Deeds page 430, fronting on Union Road and lying south of the Slate Rock Bottom Creek, said lands containing four (4) acres more or less.

Subject to all easements, rights of way and restrictions of record.

RECEIVED
\$ EXEMPT
REAL ESTATE
SEP 23 1983
TRANSFER TAX
ERIE
COUNTY

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....June 20, 1991.....;
last publication.....June 20, 1991.....;
and that no more than six days intervned be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this20th.....

day ofJune....., 19..91..

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

.....
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, 1991.
RICHARD M. MOLESKI
Town Clerk
PUBLISH: June 20, 1991

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, said Town on the 17th day of June, 1991 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

ABSENT: Councilman William P. Rogowski

Motion by Councilman Kulyk and Seconded by Councilman Jaworowicz

WHEREAS, Benjamin F. Bernard has petitioned for the rezoning from RA-Apartment District and RC-Restricted Business District to RC-Restricted Business District of property owned by Christine C. Schultz and located at 2409 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 20th day of May, 1991 at 7:00 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

1. Submission of landscape plan acceptable to Planning Board
2. Any expansion or changes to the development site plan be resubmitted to this Town Board in accordance with Section 82-71 of the Zoning Ordinance

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has rendered a determination that such rezoning will not have a significant effect on the environment, subject to the following conditions:

1. Applicant must convey creek maintenance easements acceptable to the Engineering Department to the Town
2. Landscaping for future development must be approved by Planning Board
3. NYS DOT must be approached for curb cut
4. Driveway for a distance of two car lengths from Union Road must be a minimum of 25 feet wide.

and

WHEREAS, this Town Board agrees with the determination made by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that the application of Benjamin F. Bernard for the rezoning from RA-Apartment District and RC-Restricted Business District to RC-Restricted Business District of the property specified in the attached legal description be and the same is hereby approved subject to the above noted conditions recommended by the Cheektowaga Planning Board and the Town Environmental Advisory Committee and, BE IT FURTHER

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

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of the east part of Lot 61, Buffalo Creek Reservation Lands, in the Township 10, Range 7, and being that part of the lands described in a certain deed given by Anthony Groell, Executor, etc., to Larry Frankowiak and Vencenty Frankowiak, dated July 24, 1918, recorded in the Office of the Clerk of the County of Erie in Liber 1347 of Deeds page 430, fronting on Union Road and lying south of the Slate Rock Bottom Creek, said lands containing four (4) acres more or less.

Subject to all easements, rights of way and restrictions of record.

Upon roll call.....

Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Kulyk Voting AYE
Councilman Rogowski Voting ABSENT
Councilman Solecki Voting AYE

AYES: 6

NAYES: 0

ABSENT: 1

STATE OF NEW YORK

COUNTY OF ERIE

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY 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 17, 1991, and minutes of said meetings have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meeting of said Board, and such minutes appear at item 3C, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17th day of June, 1991.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 20, 1991

Item No. 3d Motion by Councilman Blachowski Seconded by Councilman Kulyk

WHEREAS, Joseph H. Oddo applied for a Special Permit for equipment storage and vehicle maintenance on property located at 3786 Broadway, 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 3rd day of June, 1991 at 7:00 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 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 3786 Broadway, and has rendered a determination that the Special Permit will not have a significant effect on the environment subject to certain conditions, and

WHEREAS, this Town Board agrees with the determination of non-significance recommended by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby is granted subject to the following conditions:

1. No building permit be issued until a final drainage plan is approved by the Town Engineer.
2. The lot be paved as soon as possible, but no later than August 1, 1991.
3. Landscape plan for site be approved by Planning Board and required landscaping be installed prior to issuance of a certificate of occupancy for the new building.
4. A six (6) foot high stockade fence be erected along the westerly property line; such fence shall be of a type and be installed in a manner acceptable to the Building Inspector and adjoining property owner to the west.
5. If neighbor to the west of applicant's property experiences increased television reception interference as a result of applicant's radio/telecommunications transmissions, applicant shall install a filtering system to eliminate such interference.
6. Applicant's operations at this location shall be monitored by the Town's Emergency Medical Services Board and shall be subject to such Board's acceptability.
7. No collision work or painting of vehicles shall be permitted at this site.
8. Only applicant's vehicles shall be repaired on this site.
9. Hours during which maintenance of vehicles shall be limited to are as follows:

Mondays through Fridays - 8:00 A.M. - 5:00 P.M.
Saturdays - 8:00 A.M. - 12:00 P.M.
Sundays - No maintenance Work

* SEE LEGAL DESCRIPTION NEXT PAGE

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

lawful money of the United States, paid by the Grantees(s), do hereby grant and release unto the Grantees(s), and assigns forever.

PARCEL I their distributees

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 Nos. 2 and 10, Township 10, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the center line of Broadway at a point 140.094 feet east from the southwest corner of lands conveyed by Hattie Davis to Frederick Schwerdt and Gottlieb Berner by deed dated June 22, 1891, and recorded in Erie County Clerk's Office June 25, 1891, in Liber 635 of deeds, at page 403, thence northerly and parallel to the west line of lands conveyed by the above mentioned deed, 598.69 feet to the southerly line of Ellicott Road; thence easterly along the southerly line of Ellicott Road to an iron pipe in the northeast corner of lands conveyed by the above mentioned deed; thence southerly and along the east line of lands conveyed by above mentioned deed about 609.18 feet to the center line of Broadway; thence westerly along the center line of Broadway, 70 feet to the point or place of beginning;

EXCEPTED from the above premises and not being conveyed herein is the parcel conveyed by Frances Perak to American Telephone and Telegraph Company, a New York Corporation, by deed dated and recorded on August 3, 1965 in Liber 7138 of Deeds at Page 537 in the Erie County Clerk's Office; said parcel fronting on Ellicott Road, being 50 feet front and rear and 100 feet in depth.

PARCEL II

ALL THAT PLOT OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number two (2), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the center line of Broadway with the southeast corner of lands conveyed to William Davis by deed recorded in the Erie County Clerk's Office in Liber 97 of Deeds at page ~~(97 of Deeds at page)~~ 99; thence northerly along the east line of lands conveyed to said Davis six hundred three and fifty hundredths (603.50) feet to the south line of Ellicott Road; thence easterly along the south line of Ellicott Road twenty (20) feet; thence southerly parallel with the east line of lands conveyed to said Davis six hundred three and fifty hundredths (603.50) feet to the center line of Broadway; thence westerly along the center line of Broadway, twenty (20) feet to the point or place of beginning.

11 010058 P 587

RECEIVED
\$....400.00..
REAL ESTATE
AUG 10 1989
TRANSFER TAX
00736 ERIE NY
COUNTY

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication..... June 20, 1991..... ;
last publication..... June 20, 1991..... ;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this20th.....

day ofJune....., 1991..

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

**LEGAL NOTICE
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 17th day of June 1991 at 7:30 o'clock p.m. Eastern Daylight Savings Time there were:

PRESENT:

Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Andrew A. Kulyk
Councilman Richard B. Solecki
Councilman Jacqueline A. Blachowski

ABSENT: Councilman William P. Rogowski

Motion by Councilman Blachowski and Seconded by Councilman Kulyk

WHEREAS, Joseph H. Oddo applied for a Special Permit for equipment storage and vehicle maintenance on property located at 3786 Broadway, 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 3rd day of June, 1991 at 7:00 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 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 3786 Broadway, and has rendered a determination that the Special Permit will not have a significant effect on the environment subject to certain conditions, and

WHEREAS, this Town Board agrees with the determination of non-significance recommended by the Environmental Advisory Review Committee,

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby is granted subject to the following conditions:

1. No building permit be issued until a final drainage plan is approved by the Town Engineer.
2. The lot be paved as soon as possible, but no later than August 1, 1991
3. Landscape plan for site be approved by Planning Board and required landscaping be installed prior to issuance of a certificate of occupancy for the new building.
4. A six (6) foot high stockade fence be erected along the westerly property line; such fence shall be of a type and be installed in a manner acceptable to the Building Inspector and adjoining property owner to the west.
5. If neighbor to the west of applicant's property experiences increased television reception interference as a result of applicant's radio/telecommunications transmissions, applicant shall install a filtering system to eliminate such interference.
6. Applicant's operations at this location shall be monitored by the Town's Emergency Medical Services Board and shall be subject to such Board's acceptability.
7. No collision work or painting of vehicles shall be permitted at this site.
8. Only applicant's vehicles shall be repaired on this site.
9. Hours during which maintenance of vehicles shall be limited to are as follows:
Mondays through Fridays - 8:00 A.M. - 5:00 P.M.
Saturdays - 8:00 A.M. - 12:00 P.M.
Sundays - No Maintenance Work

Item No. 4a Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, the Town of Cheektowaga will be sponsoring the Polish-American Arts Festival from August 16-18, 1991 in Cheektowaga Town Park, and

WHEREAS, caterers have been chosen to provide food and non-alcoholic beverages at such event, and

WHEREAS, proposed license agreements authorizing the following named caterers to supply food and beverages at such festival have been prepared by the Town and are acceptable to such caterers:

1. Daniel Potts, doing business as Beef Station
2. Nowak Catering

and

WHEREAS, Section 64(7) of the Town Law of the State of New York requires that a public hearing be held on the granting of concessions/licenses by a Town Board prior to the granting of same, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing on the proposal for the Town to enter into concession/license agreements with the aforementioned caterers for the 1991 Polish-American Arts Festival shall be held on the 1st day of July, 191 at 7:30 P.M. at the Town Hall, corner of Boradway and Union Road, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times.

NOTICE OF PUBLIC HEARING

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 the 1st day of July, 1991 at 7:30 P.M., to consider the advisability of entering into concession/license agreements with the following named caterers for the 1991 Polish-American Arts Festival, which runs from August 16-18, 1991 in Cheektowaga Town Park:

1. Daniel Potts, doing business as Beef Station
2. Nowak Catering

All parties in interest and citizens shall have an opportunity to be heard at such hearing.

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

RICHARD M. MOLESKI,
Town Clerk

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., 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 20, 1991..... ;
last publication..... June 20, 1991..... ;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....

Sworn to before me this 20th.....

day of June....., 1991.....

.....Margaret J. Bourdette.....

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/97

**LEGAL NOTICE
NOTICE OF PUBLIC
HEARING**

TAKE NOTICE, that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga, on the 1st day of July, 1991 at 7:30 P.M., to consider the advisability of entering into concession/license agreements with the following named caterers for the 1991 Polish-American Arts Festival, which runs from August 16-18, 1991 in Cheektowaga Town Park:

1. Daniel Potts, doing business as Beef Station
2. Nowak Catering

All parties in interest and citizens shall have an opportunity to be heard at such hearing.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 20, 1991

32
12.64

Item No. 4b Motion by Councilman Solecki Seconded by Councilman Gabryszak

WHEREAS, Chapter 23 A of the Code of the Town of Cheektowaga (Environmental Impact Review Ordinance) was adopted by the Town Board resolution dated August 27, 1979, and

WHEREAS, Subdivision B. of Section 23A-5 of such ordinance designates areas within the Town as critical environmental areas, under the State Environmental Quality Review Act, and

WHEREAS, the Friends of the Woods, Ltd., the Depew-Cheektowaga Taxpayers Association and the Cheektowaga Conservation Advisory Council, in a joint effort to preserve wildlife and green areas in the Town for our future generations, have recommended that the Town include John C. Stiglmeier Park and the portion of the Cayuga Creek 100-Year Floodplain located within the Town of Cheektowaga as critical environmental areas, and

WHEREAS, this Town Board is in agreement with such citizens groups,
NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on the 1st day of July, 1991 at 7:30 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Road in the Town, at which hearing all parties in interest shall have an opportunity to be heard, and at which time it may be determined by the Town Board whether the designated critical environmental areas in such ordinance shall be added to as provided in the attached Notice of Hearing, and BE IT FURTHER

RESOLVED, that the Town Clerk be directed to publish the attached Notice of Hearing in the Cheektowaga Times, the official Town newspaper, not less than ten (10) days prior to the date of such hearing.

* * * * *

NOTICE OF HEARING ON PROPOSAL TO AMEND
ENVIRONMENTAL IMPACT REVIEW ORDINANCE AND TO
EXPAND CRITICAL ENVIRONMENTAL AREAS

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 17th day of June, 1991, a public hearing will be held on the 1st day of July, 1991 at 7:30 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road in the Town, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time it may be determined whether Chapter 23A of the Code of the Town of Cheektowaga ("Environmental Impact Review Ordinance") should be amended and whether the critical environmental areas designated in such ordinance should be added to and changed as follows:

1. RESOLVED, that Subsection B of Section 23A-5, which lists the designated critical environmental areas within the Town of Cheektowaga shall be amended by adding thereto the following:

(3) John C. Stiglmeier Park

(4) That portion of Cayuga Creek 200-Year Floodplain which lies within the corporate limits of the Town of Cheektowaga

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

DATED: June 17, 1991

RICHARD M. MOLESKI,
Town Clerk

* * * * *

Item No. 4b continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

AFFIDAVIT - NEXT PAGE

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks:
first publication.....June 20, 1991.....;
last publication.....June 20, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this20th.....

day ofJune....., 1991..

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/93

**LEGAL NOTICE
NOTICE OF HEARING ON
PROPOSAL TO
AMEND ENVIRONMENTAL
IMPACT REVIEW ORDINANCE
AND TO EXPAND CRITICAL
ENVIRONMENTAL AREAS
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 17th day of June, 1991, a public hearing will be held on the 1st day of July, 1991 at 7:30 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road in the Town, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time it may be determined whether Chapter 23A of the Code of the Town of Cheektowaga ("Environmental Impact Review Ordinance") should be amended and whether the critical environmental areas designated in such ordinance should be added to and changed as follows:

1. RESOLVED, that Subsection B of Section 23A-5, which lists the designated critical environmental areas within the Town of Cheektowaga, shall be amended by adding thereto the following:

- (3) John C. Stiglmeier Park
- (4) That portion of the Cayuga Creek 100-Year Floodplain which lies within the corporate limits of the Town of Cheektowaga

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

Dated: June 17, 1991
RICHARD M. MOLESKI
Town Clerk
PUBLISH: June 20, 1991

Item No. 4c Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

ORDER CALLING FOR PUBLIC HEARING ON PETITION FOR CURBING ALONG
MCNAUGHTON AVENUE.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki
and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

* See attached pages

McNaughton Avenue, entire length, both sides:
a) north and west sides, from the east line of Harlem Road easterly and northerly a distance of 4,619.97± feet to the south line of Scajaquada Creek;
b) west side, from the north line of Scajaquada Creek northerly a distance of 525± feet to the south line of George Urban Boulevard;
c) south and east sides, from the east line of Harlem Road easterly and northerly a distance of 4,454.3± feet to the south line of Scajaquada Creek;
d) east side, from the north line of Scajaquada Creek northerly a distance of 510± feet to the south line of George Urban Boulevard;

by the construction and installation of curbing and other necessary improvements in connection therewith along the entire length and on both sides of the portion of said street described above; and

WHEREAS, said petition has been signed by the owners of real estate fronting or abutting upon either side of the portion of said street to be improved, to the extent of at least one-half of the entire frontage or bounds on both sides of the portion of said street to be improved, and the resident owners owning not less than one-half of the frontage owned by resident owners residing in or along the portion of said street covered or represented by said petition; and

WHEREAS, said petition was duly acknowledged or proved by all signors thereof in the same manner as a deed to be recorded, and

WHEREAS, the maximum amount proposed to be expended for the improvement of the portion of said street as stated in the petition is the sum of \$156,000.00; and

WHEREAS, the petition provided that the expense of the construction of said improvement shall be borne by local assessment upon the several parcels of land especially benefited thereby all as stated in said petition and as more fully provided by applicable law;

Now, therefore be it

ORDERED, that a meeting of the Town Board of said Town of Cheektowaga be held at the Cheektowaga Town Hall, Cheektowaga, New York, in said Town on the 1st day of July, 1991, at 6:45 o'clock P.M. (Prevailing Time) to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to the petition as may be required by law.

BE IT FURTHER ORDERED, that a copy of this Order, certified by the Town Clerk, be published at least once in the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and conspicuously in five (5) public places along the portion of said street to be improved, the first publication

thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: June 17, 1991

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Frank E. Smith
Supervisor

Richard B. Solicki
Councilperson

Patricia A. Jankowski
Councilperson

James W. Kowalski
Councilperson

Joseph P. Kowalski
Councilperson

(SEAL)

Andrew W. Kulyk
Councilperson

Councilperson

Members of the Town Board of the
Town of Cheektowaga, New York

STATE OF NEW YORK)
 : ss.:
COUNTY OF ERIE)

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DOES HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 17th day of June, 1991, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17th day of June, 1991.

SEAL

Richard M. Moleski
Town Clerk

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

.....Melanie Wolf....., of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....Clerk..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication..... June 20, 1991.....;
last publication..... June 20, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this20th.....

day ofJune....., 1991...

Margaret J. Bourdette

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

MARGARET J BOURDETTE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 12/11/91

LEGAL NOTICE

At a meeting of the Town Board of the Town of Cheektowaga in the County of Erie, New York, held at Town Hall, in said Town, on the 17th day of June, 1991

PRESENT: HON. FRANK E SWIATEK, Supervisor
Patricia A. Jaworowicz, Councilperson

Dennis H. Gabrszak, Councilperson
Andrew A. Kulyk, Councilperson
Richard B. Solecki, Councilperson
Jacqueline A. Balchowski, Councilperson
ABSENT: William P. Rogowski, Councilperson

In the Matter of the

Petition of the Owners and Resident Owners of more than one-half of the real property fronting upon the entire length and both sides of McNaughton Avenue, for the improvement thereof by constructing and installing curbs.

ORDER CALLING PUBLIC HEARING TO BE HELD ON JULY 1, 1991

WHEREAS, a written petition dated June 12, 1991 was heretofore and on the 13th day of June, 1991, duly presented to and filed with the Town Board of the Town of Cheektowaga, Erie County, New York pursuant to Section 200 of the Town Law of the State of New York, praying for the improvement of so much of McNaughton Avenue, the area benefited by said improvement, as follows:

McNaughton Avenue, entire length, both sides:

a) north and west sides, from the east line of Harlem Road easterly and northerly a distance of 4,619.97 +/- feet to the south line of Scajaquada Creek;

b) west side, from the north line of Scajaquada Creek northerly a distance of 525 +/- feet to the south line of George Urban Boulevard;

c) south and east sides, from the east line of Harlem Road easterly and northerly a distance of 4,454.3 +/- feet to the south line of Scajaquada Creek;

d) east side, from the north line of Scajaquada Creek northerly a distance of 510 +/- feet to the south line of George Urban Boulevard;

by the construction and installation of curbing and other necessary improvements in connection therewith along the entire length and on both sides of the portion of said street described above; and

WHEREAS, said petition has been signed by the owners of real estate fronting or abutting upon either side of the portion of said street to be improved, to the extent of at least one-half of the entire frontage or bounds on both sides of the portion of said street to be improved, and the resident owners owning not less than one-half of the frontage owned by resident owners residing in or along the portion of said street covered or represented by said petition; and

WHEREAS, said petition was duly acknowledged or proved by all signors thereof in the same manner as a deed to be recorded, and

WHEREAS, the maximum amount

proposed to be expended for the improvement of the portion of said street as stated in the petition is the sum of \$156,000.00; and

WHEREAS, the petition provided that the expense of the construction of said improvement shall be borne by local assessment upon the several parcels of land especially benefited thereb: all as stated in said petition and as mo fully provided by applicable law;

Now, therefore be it

ORDERED, that a meeting of the Town Board of said Town of Cheektowaga be held at the Cheektowaga Town Hall, Cheektowaga, New York, in said Town on the 1st day of July, 1991, at 6:45 o'clock P.M. (Prevailing Time) to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to the petition as may be required by law.

BE IT FURTHER ORDERED, that a copy of this Order, certified by the Town Clerk, be published at least once in the "CHEEKTOWAGA TIMES", a newspaper published in Cheektowaga, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and conspicuously in five (5) public places along the portion of said street to be improved, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: June 17, 1991

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Frank E. Swiatek, Supervisor
Patricia A. Jaworowicz, Councilperson

Dennis H. Gabrszak, Councilperson

Andrew A. Kulyk, Councilperson
Richard B. Solecki, Councilperson
Jacqueline A. Balchowski, Councilperson

Members of the Town Board of the Town of Cheektowaga, New York,
STATE OF NEW YORK,
COUNTY OF ERIE

RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DOES HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 17th day of June, 1991, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 17th day of June, 1991.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: June 20, 1991

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the application of a chemical root control agent to sanitary sewer lines in various locations in the Town of Cheektowaga, which bids were duly opened on June 3, 1991, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said Town Engineer has submitted the same which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the application of a chemical root control agent to sanitary sewer lines at the unit price of \$1.39 per lineal foot of eight inch (8") sanitary sewer, \$1.56 per lineal foot of ten inch (10") sewer, \$1.72 per lineal foot of twelve inch (12") sewer, \$2.53 per lineal foot of fifteen inch (15") sewer, \$3.77 per lineal foot of eighteen inch (18") sewer, \$4.74 per lineal foot of twenty one inch (21") sewer and \$6.15 per lineal foot of twenty four inch (24") sewer be awarded to Duke's Sales & Service, Inc., 1020 Hiawatha Boulevard West, Syracuse, New York 13204, said bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the costs for root control under this contract are to be appropriated and limited to the amount budgeted for root control under the appropriate Sewer District #5 budget line item #2500-8125-4475.

* SEE NEXT PAGE FOR ATTACHEMENT

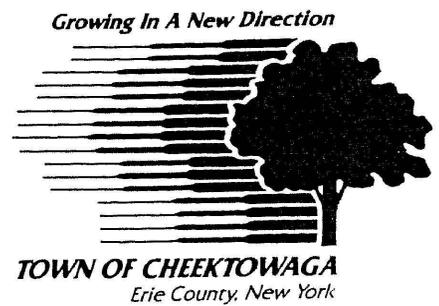
Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

Chester L. Bryan, P.E.
Town Engineer



June 12, 1991

TO SUPERVISOR SWIATEK AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Chemical Root Control

Gentlemen:

At a public bid opening on June 3, 1991, bids were received and publicly opened for the application of a chemical root control agent to sanitary sewer lines. One (1) bid was received as follows:

<u>BIDDER</u>	<u>UNIT BID PRICE</u>
Duke's Sales & Service, Inc.	8" sewer - \$1.39 per lineal foot
	10" sewer - \$1.56 per lineal foot
	12" sewer - \$1.72 per lineal foot
	15" sewer - \$2.53 per lineal foot
	18" sewer - \$3.77 per lineal foot
	21" sewer - \$4.74 per lineal foot
	24" sewer - \$6.15 per lineal foot

The bid was reviewed by the Town Engineer, and upon his recommendation, the bid should be awarded to Duke's Sales & Service, Inc., 1020 Hiawatha Boulevard West, Syracuse, New York 13204, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Paul G. Piwowarski
Paul G. Piwowarski
Engineering Assistant

PGP:dms

Item No. 6a Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 1091 Maryvale Drive, Cheektowaga, New York, SBL #94.09-4-2 and according to the Assessor's Office is owned by Joseph S. Matuszewski, Buffalo, New York 14211, 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 Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 6b Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 4347 Union Road, Cheektowaga, New York, SBL #91.52-1-44 and according to the Assessor's Office is owned by Jean Ettelson, Williamsville, New York 14221, and

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

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

Upon Roll Call....

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

Item No. 6c Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 2526 William Street with frontage on William Street, Cheektowaga, New York, SBL # 113.55-7-4 and SBL #113.55-7-5 and according to the Assessor's Office is owned by Bernice Meland, c/o Erie County Home, 11580 Walden Avenue, Alden, New York 14004, 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 Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski
NAYES: 0
ABSENT: Councilman Rogowski

Item No. 7 Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, Cub Scout Pack 618 of the Greater Niagara Frontier Council of Boy Scouts has requested permission to conduct an overnight sleep-over at John C. Stiglmeier Park on Saturday, June 29, 1991, AND

WHEREAS, Section 48-12 of the Code of the Town of Cheektowaga (Parks Ordinance) states that "All parks shall be closed except for the use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so close", NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby permits a waiver of Section 48-12 of the Parks Ordinance, said waiver being extended to Cub Scout Pack 618 for the use of John C. Stiglmeier Park on Saturday, June 29, 1991, beginning at 6:00 P.M., and BE IT FURTHER

RESOLVED, that the Town Clerk shall forward copies of this resolution to the Chief of Police, Facilities Director, and the Director of Youth and Recreational Services.

Upon Roll Call....

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

Item No. 8 Motion by Councilman Kulyk Seconded by Councilman Blachowski

WHEREAS, Michael J. Desiderio (the "Applicant") has applied to the Town of Cheektowaga for an environmental review of this request to rezone and obtain a special permit for 13.9 acres of land known as 2911 William Street from RA-Apartment District to C-Retail Business District for the construction of the Liberty Park Inn and Entertainment Center (the "Project") pursuant to the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, there has been agreement by the appropriate governmental agencies (State, County, local) that the Town Board of the Town of Cheektowaga is to be designated lead agency in matters concerning the Project, and

WHEREAS, by resolution dated June 5, 1989, the Cheektowaga Town Board determined that the Applicant must prepare and submit to the Town for its review a Draft Environmental Impact Statement ("DEIS") addressing certain environmental effects of the Project, and

WHEREAS, the Applicant submitted a DEIS to the Town, and this Town Board accepted such DEIS and held a public hearing thereon on June 18, 1990, and

WHEREAS, by resolution dated June 18, 1990, this Town Board requested the Applicant to prepare and submitted a Supplemental Environmental Impact Statement ("SEIS") for the Project to the Town concerning drainage, and

WHEREAS, the Applicant submitted a SEIS for the Project to the Town, and this Town Board accepted such SEIS and held a public hearing thereon on April 15, 1991, and

WHEREAS, public comment on such SEIS expired on May 3, 1991, and

WHEREAS, by resolution dated May 6, 1991, this Town Board requested the Applicant to prepare and submit a Final Environmental Impact Statement (FEIS) for the Project to the Town, and

WHEREAS, the Applicant submitted such FEIS to the Town on June 12, 1991, and

WHEREAS, pursuant to SEQRA, the FEIS should have been prepared and filed by May 30, 1991, but such time may be extended where it is determined that additional time is necessary, and

Item No. 8 continued

WHEREAS, neither the Town Environmental Advisory Committee nor this Town Board has had adequate time to review the FEIS prepared by the Applicant, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby determines that it requires additional time to review and file the proposed FEIS for the Project and hereby extends the date for filing/acceptance of such FEIS until July 1, 1991, and BE IT FURTHER

RESOLVED, that the SEQRA Intake Officer notify the Applicant of the extension.

Upon Roll Call....

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

Item No. 9 Motion by Councilman Kulyk Seconded by Councilman Solecki

WHEREAS, Snyder Corporation has proposed the demolition of an existing office and construction of a new larger facility on property located at 4099 Genesee Street (the "Project"), and

WHEREAS, this Project must be reviewed pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, and

WHEREAS, the Town Environmental Advisory Committee reviewed this Project and recommended a determination of environmental non-significance with the following condition:

1. The applicant must consult with the Town Engineer and provide him with an acceptable overall site drainage plan and additional landscaping along the applicant's front property line which is presently paved.

and

WHEREAS, this Board has reviewed the proposal of Snyder Corporation for 4099 Genesee Street and agrees with the recommendation of the Town Environmental Advisory Committee, but also feels additional landscaping should be required, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby renders a determination of non-significance with respect to the Project with the following conditions:

1. Condition recommended by Town Environmental Advisory Committee
2. Applicant must comply fully with the landscaping requirements of the Town Zoning Ordinance
3. Fence in front of property must be moved back from the front line to the end of the landscaped area.

Upon Roll Call....

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

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

WHEREAS, by resolution dated February 19, 1991, this Town Board approved plans for Losson Woods Subdivision a 13-lot subdivision located at the southeast corner of Borden and Losson Roads, and

Item No. 10 continued

WHEREAS, the developer of this subdivision has revised its plans for such subdivision, NOW, THEREFORE, BE IT

RESOLVED, that Losson Woods Subdivision (revised) be and hereby is approved subject to the following items being completed prior to issuance of any building permit for lots within such subdivision:

- (1) acceptance and filing of amended map cover
- (2) acceptance and filing of drainage easements
- (3) application and issuance of a Public Improvement Permit (P.I.P.)
- (4) installation of all rear yard drainage piping and swales to be inspected and approved under the provisions of the P.I.P.

Upon Roll Call....

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

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

WHEREAS, the developer of the Losson Meadows Subdivision, Phase III, has completed the installation of the street lighting system on Baywood Drive and Wedgewood Drive, consisting of eight (8) 5200 lumen high pressure sodium luminaires and related equipment, AND

WHEREAS, said street lighting system has been energized by the New York State Electric & Gas Corporation and is functioning properly, NOW, THEREFORE, BE IT

RESOLVED, that escrow funds in the amount of \$6400 deposited by the developer, being held by the Town to guarantee the installation of the subject lighting system, be released to the person or persons, depositing same from Account #0600-0830, AND, BE IT FURTHER

RESOLVED, that the lighting system consisting of luminaires, standards and conductors, furnished and installed by the developer, is to be owned and maintained by the Town of Cheektowaga and the connections, energy and lamp replacements are to be supplied and maintained by the New York State Electric & Gas Corporation.

Upon Roll Call....

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

Item No. 12 Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to remove Town owned Standard No. 15 on Joseph Street, together with one (1) 7000 lumen mercury vapor luminaire and cable, and to install one (1) 8500 lumen high pressure sodium luminaire on a utility owned wood service pole to be installed at the same location, at an annual decrease to the General Lighting District of \$81.57 in accordance with the attached New York State Electric & Gas proposal dated June 6, 1991 which is hereby made a part of this resolution.

* SEE NEXT PAGE FOR ATTACHMENT

Upon Roll Call....

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

NYSEG

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To BILL FUCH	From KAREN	
Co.	Co. COUNTY	
Dept. ENGINEERING	Phone #	
Fax #	Fax #	

STREET LIGHTING PROPOSAL**TOWN OF CHEEKTOWAGA**

June 6, 1991

Joseph St.

Remove 1 - 7000 lumen MV lamp @ \$119.32 ea.	= \$119.32
Std. 15, L-SU703	
Remove 113 ft. direct buried cable @ .6530/ft	= \$ 73.79
Install 1 - 8500 lumen HPS lamp @ \$111.54 ea.	= \$111.54
Poles 12-6, L-2746	
Total Annual Decrease	= \$ 81.57

Town owned standard to be removed and returned to town by NYSEG. NYSEG to install pole at no cost to town, based on pole is being used for service attachment also.

(This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga)

RECEIVED

**JUN 12 1991
ENGINEERING
DEPT.**

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

WHEREAS, U & S Services has submitted a proposal for monitoring the discharge air temperatures and space temperatures in the south and center computer rooms at Cheektowaga Town Hall, AND

WHEREAS, Babinsky.Klein Engineering P.C. has reviewed said proposal and has recommended acceptance of the proposal, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order #2 in the amount of \$1,530.00 to U & S Services Inc., Suite 11, 233 Fillmore Avenue, Tonawanda, New York 14150 to furnish and install four additional temperature sensors to the fan coil units to monitor discharge air temperature in the south and center computer rooms at Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5912-1625-1100.

Upon Roll Call....

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

Item No. 14 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

WHEREAS, Louis Migliore Construction Company, Inc. has submitted Application No. 7 - Final Payment for General Construction Work at the Alexander Community Center, AND

WHEREAS, Louis Migliore Construction Company, Inc. has submitted Contractor's Affidavit of Payment of Debts and Claims, Contractor's Affidavit of Release of Liens, Wage & Supplement Affidavit, Asbestos Statement and Consent of Surety Company to Final Payment, AND

WHEREAS, Scaffidi & Moore Architects has reviewed and approved said documents as submitted by Louis Migliore Construction Company, Inc., NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Final Payment of \$8,149.00 as submitted by Louis Migliore Construction Company Inc., 787 Military Road, Buffalo, New York 14217, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Account #05-1625-8811-1101.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, by resolution dated May 20, 1991, this Town Board authorized the purchase and training of a drug detector dog for use by the Police Department, and

WHEREAS, Officer Daniel Smith will be assigned to K-9 duty to work with this drug detector dog, and

WHEREAS, pursuant to Section 6.08 of the collective bargaining agreement between the Town and the Cheektowaga Police Club, inc., the Town is obligated to install a dog-run on the premises of the K-9 officer, and

WHEREAS, funding has been appropriated in the Police Department budget for materials necessary to construct such dog run, and

RE: EQR - May 30, 1991
June 5, 1991
Page: 2

The committee wished to see elevations of the addition for comparison with homes in the area. The Building Inspection Office will also review the proposed site plan to determine the number of variances that will be required from the Zoning Board of Appeals.

This item will remain tabled until the committee receives the requested elevations.

ITEM II 2331 Union Road - Proposed two story addition

Applicant: Telfair Construction Corp.

Determination: Non Significant with conditions.
The addition is proposed for the existing Rosa's Appliance Warehouse on Union Road, south of Losson Road. The two story addition will be primarily for offices and be attached to the rear warehouse facility. Connected to the two story addition will also be a small one story storage garage of eighteen hundred square feet. The storage garage may be used in the future for installation of auto stereo systems.

At the present time an addition is being constructed to the warehouse at the east end of the site. The contractor is proposing to pipe an existing drainage ditch that runs through this portion of the property and has submitted preliminary plans to the Town Engineer. The plans have not yet been approved by the Town Engineer as he feels that there's a need for additional information and some design modifications.

Also as part of the site, but not utilized by the Rosa's facility, is an area of the site fronting on Union Road. This site at present is unmaintained field and the committee felt that the condition of the land warranted clean up.

The conditions are:

- o Clean up of the undeveloped portion of the site
- o Submit information and plans as needed by the Town Engineer for drainage plan approval.

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

WHEREAS, the Town has previously appointed Robert Laskowski as a Public Safety Dispatcher on a provisional basis, pending the establishment of a valid competitive Civil Service list for said position, AND

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel and Mr. Laskowski is listed as one of the eligible candidates, NOW, THEREFORE, BE IT

RESOLVED, that Robert Laskowski, Cheektowaga, New York 14225, be and hereby is permanently appointed to the position of Public Safety Dispatcher, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association, effective immediately.

Upon Roll Call....

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

Item No. 18a Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, by resolution, this Town Board appointed two (2) provisional candidates to the position of Public Safety Dispatcher, pending the results of a Civil Service exam for said position, AND

WHEREAS, said results have been released by the Erie County Department of Personnel, AND

WHEREAS, after two attempts, as it allowed by Civil Service Law, the provisional appointees are not eligible for permanent full-time appointments at this time, NOW, THEREFORE, BE IT

RESOLVED, that Edward Dean and Todd Schmiegel be and hereby are terminated from their permanent full-time positions of Public Safety Dispatcher, effective June 18, 1991.

Upon Roll Call....

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

Item No. 18b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are terminated as listed:

SANITATION DEPARTMENT

EFFECTIVE

Gerald Dove	Immediately
Thomas Glinski	"
Gerald Ostrowski	"
Michael Nawojski	"

Upon Roll Call....

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

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

WHEREAS, there is currently a permanent vacancy in the position of Public Safety Dispatcher, AND

WHEREAS, there presently exists a valid Civil Service list for said position, AND

WHEREAS, said Civil Service list was canvassed and interviews were conducted, NOW, THEREFORE, BE IT

RESOLVED, that Daniel A. Kishbaugh of Cheektowaga, New York 14225, be and hereby is appointed to the position of Public Safety Dispatcher, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association, effective June 18, 1991.

Upon Roll Call....

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

Item No. 20a Motion by Councilman Jaworowicz Seconded by Councilman Kulyk

WHEREAS, by resolution, this Town Board created eight (8) part-time positions of Public Safety Dispatcher, AND

WHEREAS, the Town Board is interested in filling four (4) positions at this time, AND

WHEREAS, the four individuals currently exist on the valid Civil Service list for the position of Public Safety Dispatcher, were canvassed and interviews were conducted, NOW, THEREFORE, BE IT

RESOLVED, that Todd Schmigel of , Edward Dean of Kathleen O'Neill of and Gary Gawronski of be and hereby are hired as part-time Public Safety Dispatchers, not to exceed 19 hours on a weekly basis, effective June 18, 1991 and at an hourly rate of \$9.67, AND, BE IT FURTHER

RESOLVED, that said salaries are to be charged to line #0100-3120-1569.

Upon Roll Call....

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

Item No. 20b Motion by Councilman Kulyk Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as part-time employees, not to exceed 19 hours on a weekly basis, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association:

		<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT - \$5.00 per hour</u>		
Dolores Booker	(Clerical)	Immediately
<u>SANITATION DEPARTMENT - \$5.00 per hour</u>		
Brian Habitsrubther	(Laborer)	Immediately
James Lanza	(Laborer)	Immediately

Item No. 20b continued

Upon Roll Call....

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

* * * * *

Motion by Councilman Jaworowicz and seconded by Councilman Kulyk to abstain reading names in Item 21A, 21B, 21C and 21D.

Upon Roll Call....

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

* * * * *

Item No. 21a Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be hired as seasonal employees, not to exceed 24 weeks, to aid the Cheektowaga Youth & Recreational Services Department in conducting its 1991 summer programs at the designated titles and salaries.

LIFEGUARD I - 01-7180-0001-1903 - \$5.00/hr.

William J. Kalasa 14043

RECREATION ATTENDANT III - 01-7140-0001-1614 - \$4.25/hr.
(Alternate)

Irene Leary 14225
Tracy Gielinski 14227
Kevin Poplawski 14043
Erica Staszak 14225
Kimberly A. Williams 14227
Joanne Haas 14225
David Isch 14225
Leanne Ventura 14225

COUNSELOR II - 01-7310-0001-1802 - \$4.50/hr.

Thomas Jakubowicz 14227

CHEEKTOWAGA CONSERVATION CORPS PROJECT COORDINATOR - 01-7310-0001-1811 - \$8.25/hr.

Jack Hornung 14086

Work Crew Supervisor - 01-7310-0001-1811 - \$7.65/hr.

Alan Miano 14225

Youth Leaders - 01-7310-0001-1811 - \$5.00/hr.

Barbara Mederski 14043
Kirk Wilde 14227

Summer Trainees - 01-7310-0001-1812 - \$4.25/hr.

Edward D. Andrzejewski 14227
Jerel J. Bogdan 14206
Fawn Bova 14225
Sue Boyle 14211
Jay Brady 14212

Item No. 21a continued

Summer Trainees (continued)

Jeff Breton	14225
Christopher M. Calamita	14227
Russ M. Ciraolo	14227
Kevin Corcoran	14043
Scott Corcoran	14043
Craig Gangloff	14227
Jennifer Garcea	14043
Sarah Garcea	14043
Claude Gillman	14227
Lori Herdzik	14043
Jeff Kramer	14227
Thomas M. Matyjakowski	14212
Ronald Obringer	14227
Tamara Ozolins	14043
Jason Ozolins	14043
David F. Pajak, Jr.	14227
Kevin Sweeney	14227
Peter Tonsoline	14043

BE IT RESOLVED that the classification for the below listed individuals be changed from part-time to seasonal at the designated titles and salaries, effective June 24, 1991:

EDUCATION COORDINATOR - 01-7310-0001-1811 - \$8.25/hr.

Roger Newhouse	14227
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CONSERVATION CORPS SUPERVISOR - 01-7310-0001-1811 - \$7.65/hr.

Richard Musielak	14043
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BE IT FURTHER RESOLVED that Carol Ann Belke (14225), previously hired as a Tiny Tots Instructor I, be elevated to the position of Tiny Tots Supervisor, at the rate of \$6.00 per hour, - 01-7140-0001-1613.

THAT Kathy Miller, previously hired as a Senior Counselor, be elevated to the position of Activity Director at \$6.00/hr. - 01-7310-0001-1802.

THAT the following individuals, previously hired as Lifeguard I - 01-7180-0001-1903, be elevated to the position of Water Safety Instructor I - 01-7180-0001-1902 at a salary rate of \$5.50/hr:

Ann Marie Gorski	14225
Keith Stachura	14225

THAT Kelly Marie Sweeney, previously hired as Lifeguard III, - 01-7180-0001-1903, be elevated to the position of Lifeguard I, - 01-7180-0001-1903, based on qualifications and experience, at a salary rate of \$5.00/hr.

BE IT FURTHER RESOLVED that the following individuals originally hired as ASSISTANT POOL SUPERVISOR (II) who because of prior experience should have been hired as ASSISTANT POOL SUPERVISOR I at \$6.00/hr. - 01-7180-0001-1903:

Douglas Kenjockety	14206
Denise Szalasny	14206
Deborah Hartman	14227

AND BE IT FURTHER RESOLVED that the below listed individuals be terminated from the Youth and Recreational Services Department:

ADAPTED REC SUMMER DAY CAMP
ACTIVITY DIRECTOR - 01-7310-0001-1802 - \$6.00/hr.

David Imiola	14227
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Item No. 21a continued

COUNSELOR I - 01-7310-0001-1802 - \$4.25/hr.

Kristen Loughline 14225

COUNSELOR III - 01-7310-0001-1802 - \$4.75/hr.

Debbie Reed 14227

POOL SUPERVISOR II - 01-7180.1902 - \$7.25/hr.

Pamela Miller 14225

LIFEGUARD I - 01-7180-0001-1903 - \$5.00/hr.

Ryan P. Houlahan 14225

Edwrd J. Pawlowski 14043

Amy Lou Pszczolkowski 14211

Derek Prellwitz 14206

TINY TOTS SUPERVISOR - 01-7140-0001-1613/hr.

Joanne Miranda 14225

* * * * *

Motion by Councilman Solecki and seconded by Councilman Kulyk to separate Job Title of Cheektowaga Conservation Corps Project Coordinator from resolution and the voting was as follows:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

* * * * *

Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be hired as seasonal employees, not to exceed 24 weeks, to aid the Cheektowaga Youth & Recreational Services Department in conducting its 1991 summer programs at the designated titles and salaries.

LIFEGUARD I - 01-7180-0001-1903 - \$5.00/hr.

William J. Kalasa 14043

RECREATION ATTENDANT III - 01-7140-0001-1614 - \$4.25/hr.

(Alternate)

Irene Leary 14225

Tracy Gielinski 14227

Kevin Poplawski 14043

Erica Staszak 14225

Kimberly A. Williams 14227

Joanne Haas 14225

David Isch 14225

Leanne Ventura 14225

COUNSELOR II - 01-7310-0001-1802 - \$4.50/hr.

Thomas Jakubowicz 14227

Work Crew Supervisor - 01-7310-0001-1811 - \$7.65/hr.

Alan Miano 14225

Item No. 21a continued

Youth Leaders - 01-7310-0001-1811 - \$5.00/hr.

Barbara Mederski 14043
Kirk Wilde 14227

Summer Trainees - 01-7310-0001-1812 - \$4.25/hr.

Edward D. Andrzejewski 14227
Jerel J. Bogdan 14206
Fawn Bova 14225
Sue Boyle 14211
Jay Brady 14212

Summer Trainees (continued)

Jeff Breton 14225
Christopher M. Calamita 14227
Russ M. Ciraolo 14227
Kevin Corcoran 14043
Scott Corcoran 14043
Craig Gangloff 14227
Jennifer Garcea 14043
Sarah Garcea 14043
Claude Gillman 14227
Lori Herdzik 14043
Jeff Kramer 14227
Thomas M. Matyjakowski 14212
Ronald Obringer 14227
Tamara Ozolins 14043
Jason Ozolins 14043
David F. Pajak, Jr. 14227
Kevin Sweeney 14227
Peter Tonsoline 14043

BE IT RESOLVED that the classification for the below listed individuals be changed from part-time to seasonal at the designated titles and salaries, effective June 24, 1991:

EDUCATION COORDINATOR - 01-7310-0001-1811 - \$8.25/hr.

Roger Newhouse 14227

CONSERVATION CORPS SUPERVISOR - 01-7310-0001-1811 - \$7.65/hr.

Richard Musielak 14043

BE IT FURTHER RESOLVED that Carol Ann Belke (14225), previously hired as a Tiny Tots Instructor I, be elevated to the position of Tiny Tots Supervisor, at the rate of \$6.00 per hour, - 01-7140-0001-1613.

THAT Kathy Miller (14227), previously hired as a Senior Counselor, be elevated to the position of Activity Director at \$6.00/hr. - 01-7310-0001-1802.

THAT the following individuals, previously hired as Lifeguard I - 01-7180-0001-1903, be elevated to the position of Water Safety Instructor I - 01-7180-0001-1903, at a salary rate of \$5.50/hr:

Ann Marie Gorski 14225
Keith Stachura 14225

THAT Kelly Marie Sweeney, previously hired as Lifeguard III, - 01-7180-0001-1903, be elevated to the position of Lifeguard I, - 01-7180-0001-1903, based on qualifications and experience, at a salary rate of \$5.00/hr.

BE IT FURTHER RESOLVED that the following individuals originally hired as ASSISTANT POOL SUPERVISOR (II) who because of prior experience should have been hired as ASSISTANT POOL SUPERVISOR I at \$6.00/hr. - 01-7180-0001-1903:

Item No. 21a continued

Douglas Kenjockety 14206
Denise Szalasny 14206
Deborah Hartman 14227

AND BE IT FURTHER RESOLVED that the below listed individuals be terminated from the Youth and Recreational Services Department:

ADAPTED REC SUMMER DAY CAMP
ACTIVITY DIRECTOR - 01-7310-0001-1802 - \$6.00/hr.

David Imiola 14227

COUNSELOR I - 01-7310-0001-1802 - \$4.25/hr.

Kristen Loughline 14225

COUNSELOR III - 01-7310-0001-1802 - \$4.75/hr.

Debbie Reed 14227

POOL SUPERVISOR II - 01-7180.1902 - \$7.25/hr.

Pamela Miller 14225

LIFEGUARD I - 01-7180-0001-1903 - \$5.00/hr.

Ryan P. Houlahan 14225
Edwrd J. Pawlowski 14043
Amy Lou Pszczolkowski 14211
Derek Prellwitz 14206

TINY TOTS SUPERVISOR - 01-7140-0001-1613/hr.

Joanne Miranda 14225

Upon Roll Call....

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

Motion by Councilman Gabryszak Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following individuals be hired as seasonal employees, not to exceed 24 weeks, to aid the Cheektowaga Youth & Recreational Services Department in conducting its 1991 summer programs at the designated titles and salaries.

LIFEGUARD I - 01-7180-0001-1903 - \$5.00/hr.

William J. Kalasa 14043

RECREATION ATTENDANT III - 01-7140-0001-1614 - \$4.25/hr.
(Alternate)

Irene Leary 14225
Tracy Gielinski 14227
Kevin Poplawlski 14043
Erica Staszak 14225
Kimberly A. Williams 14227
Joanne Haas 14225
David Isch 14225
Leanne Ventura 14225

COUNSELOR II - 01-7310-0001-1802 - \$4.50/hr.

Thomas Jakubowicz 14227

Item No. 21a continued

CHEEKTOWAGA CONSERVATION CORPS PROJECT COORDINATOR - 01-7310-0001-1811 - \$8.25/hr.

Jack Hornung 14086

Work Crew Supervisor - 01-7310-0001-1811 - \$7.65/hr.

Alan Miano 14225

Youth Leaders - 01-7310-0001-1811 - \$5.00/hr.

Barbara Mederski 14043

Kirk Wilde 14227

Summer Trainees - 01-7310-0001-1812 - \$4.25/hr.

Edward D. Andrzejewski 14227
Jerel J. Bogdan 14206
Fawn Bova 14225
Sue Boyle 14211
Jay Brady 14212
Jeff Breton 14225
Christopher M. Calamita 14227
Russ M. Ciralo 14227
Kevin Corcoran 14043
Scott Corcoran 14043
Craig Gangloff 14227
Jennifer Garcea 14043
Sarah Garcea 14043
Claude Gillman 14227
Lori Herdzik 14043
Jeff Kramer 14227
Thomas M. Matyjakowski 14212
Ronald Obringer 14227
Tamara Ozolins 14043
Jason Ozolins 14043
David F. Pajak, Jr. 14227
Kevin Sweeney 14227
Peter Tonsoline 14043

BE IT RESOLVED that the classification for the below listed individuals be changed from part-time to seasonal at the designated titles and salaries, effective June 24, 1991:

EDUCATION COORDINATOR - 01-7310-0001-1811 - \$8.25/hr.

Roger Newhouse 14227

CONSERVATION CORPS SUPERVISOR - 01-7310-0001-1811 - \$7.65/hr.

Richard Musielak 14043

BE IT FURTHER RESOLVED that Carol Ann Belke (14225), previously hired as a Tiny Tots Instructor I, be elevated to the position of Tiny Tots Supervisor, at the rate of \$6.00 per hour, - 01-7140-0001-1613.

THAT Kathy Miller (14227), previously hired as a Senior Counselor, be elevated to the position of Activity Director at \$6.00/hr. - 01-7310-0001-1802.

THAT the following individuals, previously hired as Lifeguard I - 01-7180-0001-1903, be elevated to the position of Water Safety Instructor I - 01-7180-0001-1903, at the salary rate of \$5.50/hr.:

Ann Marie Gorski 14225
Keith Stachura 14225

Item No. 21a continued

THAT Kelly Marie Sweeney, previously hired as Lifeguard III, - 01-7180-0001-1903, be elevated to the position of Lifeguard I, - 01-7180-0001-1903, based on qualifications and experience, at a salary rate of \$5.00/hr.

BE IT FURTHER RESOLVED that the following individuals originally hired as ASSISTANT POOL SUPERVISOR (II) who because of prior experience should have been hired as ASSISTANT POOL SUPERVISOR I at \$6.00/hr. - 01-7180-0001-1903:

Douglas Kenjockety	14206
Denise Szalasny	14206
Deborah Hartman	14227

AND BE IT FURTHER RESOLVED that the below listed individuals be terminated from the Youth and Recreational Services Department:

ADAPTED REC SUMMER DAY CAMP
ACTIVITY DIRECTOR - 01-7310-0001-1802 - \$6.00/hr.

David Imiola	14227
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COUNSELOR I - 01-7310-0001-1802 - \$4.25/hr.

Kristen Loughline	14225
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COUNSELOR III - 01-7310-0001-1802 - \$4.75/hr.

Debbie Reed	14227
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POOL SUPERVISOR II - 01-7180.1902 - \$7.25/hr.

Pamela Miller	14225
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LIFEGUARD I - 01-7180-0001-1903 - \$5.00/hr.

Ryan P. Houlahan	14225
Edwrd J. Pawlowski	14043
Amy Lou Pszczolkowski	14211
Derek Prellwitz	14206

TINY TOTS SUPERVISOR - 01-7140-0001-1613/hr.

Joanne Miranda	14225
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Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 21b Motion by Councilman Gabryszak Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal Employees in the various departments listed, in compliance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, for a period not to exceed twenty-four (24) weeks in a calendar year:

EFFECTIVE

POLICE DEPARTMENT - Traffic Maintenance Division - \$5.00 per hour

Thomas Bollman	(Laborer)	Immediately
Thomas Nowak	"	"

Item No. 21b continued

SANITATION DEPARTMENT - \$5.00 per hour

Lutz Ferguson	(Laborer)	Immediately
Brian Wheeler	"	"
Thomas Wieczorek	"	"
Richard Zydel	"	"
Larry Lawicki	"	"

FACILITIES DEPARTMENT - \$4.65 per hour

David Manzella	(Laborer)	Immediately
Dennis Piekarski	"	"
John Skubinski	"	"
James Crean	"	"

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Kulyk, Solecki and Blachowski

NAYES: 0

ABSENT: Councilman Rogowski

Item No. 21c Motion by Councilman Blachowski 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 24, 1991, participants work at a maximum of 40 hours per week at \$4.25 per hour, and a termination date not to exceed August 30, 1991, 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:

Abbata, Jeremy	Cheek 14206
Ambellan, Gary	Cheek 14211
Ames, Shannon	Cheek 14227
Ames, Shawna	Cheek 14117
Baker, James	Cheek 14225
Baldwin, Jeffrey	Cheek 14227
Balus, David	Cheek 14225
Banaszak, Christopher	Depew 14043
Barone, Raven	Cheek 14225
Bartkowiak, Jeffrey	Cheek 14227
Beltz, Allen	, Cheek 14206
Blaszkwski, Heather	Cheek 14227
Boitschenko, Melissa	Cheek 14206
Bonifacio, Joseph	Cheek 14225
Borucki, Laurie Ann	Cheek 14225
Brandle, Daryl	Cheek 14225
Butera, Christopher	14225
Butsch, Derek	, Chg 14043
Caster, Richard	Cheek 14211
Ciraolo, Joseph	Cheek 14227
Cole, Barbara	Cheek 14225
Conrath, Michael	Cheek 14225
Crump, Kimberly	, Cheek 14225
Crump, Wayne	, Cheek 14225
Cuff, Colleen	Cheek 14225
Culp, William	Cheek 14225
Dembski, Allen	Cheek 14227
Dodge, Joseph	Cheek 14225
Dousing, Andrew	Cheek 14206
Eckert, Jill	Cheek 14227
Evans, Robert	, Cheek 14227
Falkiner, James Jr	Cheek 14211

Item No. 21c continued

Felten, Tawnji	, Cheek 14225
Flanagan, Andrea	Cheek 14225
Fleck, Amelia	Cheek 14225
Fleck, Christopher	Cheek 14225
Galioto, Juliana	, Cheek 14227
Gallagher, Amber	Sloan 14212
Gallagher, Graden	Sloan 14212
Gamber, Alessia	, Cheek 14225
Gamber, Michael	, Cheek 14225
Gamber, Wayne	, Cheek 14225
Gardon, Renee	Cheek 14227
Gawron, Robert	, Cheek 14225
Gawron, Tammy	, Cheek 14225
Genson, Jeffrey	, Cheek 14225
Giudice, Andrea	Cheek 14225
Golebiewski, Brian	Cheek 14227
Gruber, Louis	, Cheek 14225
Guggemos, Robert	Depew, 14043
Gwitt, Joshua	, Cheek 14225
Hall, Dana	, Cheek 14225
Harless, Shawn	Sloan 14206
Harris, Danielle	Cheek 14211
Harris, Donald	Cheek 14211
Hidy, Jasen	, Cheek 14225
Higley, Richard	, Cheek 14215
Huber, Dennis	Cheek 14225
Januszczak, Joseph	, Cheek 14211
Jasinski, Steven	, Cheek 14206
Kania, Charles	Depew, 14043
Klimko, Jason	Cheek 14225
Kolarz, Christian	Bflo 14212
Koller, Renee	Cheek 14225
Kosmowski, Joanne	Cheek 14225
Kowalewski, Amber	Cheek 14211
Kowalewski, Robert	Cheek 14211
Kowalski, Michael	, Cheek 14227
Kraebel, James	, Cheek 14225
Lamb, Justine	, Cheek 14225
LePage, Christy	Cheek 14225
Lockhart, Robert	Cheek 14215
Long, Michael	Tonawanda 14150
Long, Sam	Cheek 14227
Lorenz, Michelle	, Cheek 14225
Marciniak, Paul	, Sloan 14212
Mattrey, Colleen	, Cheek 14225
McCall, Vickie	Cheek 14225
Mead, Joseph	Cheek 14225
Milewski, Bernard	Cheek 14225
Miller, Daniel	, Cheek 14206
Mook, Judith	Cheek 14225
Morgan, Bobbi Jo	Cheek 14227
Morgan, Michael	Cheek 14227
Morgan, Patricia	Cheek 14227
Motley, Jermell	, Cheek 14215
Nelson, Tracey	Cheek 14225
Neumeister, Kelley Jo	, Cheek 14225
Noworyta, Jonathan	Cheek 14227
Pachulski, Dwayne	Cheek. 14227
Paff, Tammy	Cheek 14225
Parks, Wendy	Cheek 14225
Piechalak, Ken	Cheek 14206
Pieczynski, Paul	Cheek 14227
Pokorski, Shawn	Sloan 14212
Pokorski, Todd	Sloan 14212
Polizzi, Brian	, Cheek 14206
Przepiora, Jodi	Cheek 14206
Putt, Thomas	Cheek 14227

Item No. 21c continued

Rambadt, Karry	Cheek 14225
Rambadt, Wilfred	Cheek 14225
Riederer, Christopher	, Cheek 14225
Roska, Amy	Cheek 14225
Rote, David	Cheek 14225
Rozbicki, John	, Cheek 14225
Rozier, Eslie	Cheek 14215
Skowron, Linda	, Sloan 14212
Speaker, Jeffrey	Cheek 14225
Speaker Stephanie	Cheek 14225
Stein, Joseph	Cheek 14225
Summers, Michael	Cheek 14206
Sundquist, Renee	Cheek 14225
Thompson, Susan	, Depew 14043
Tobolski, Kyle	Cheek 14227
Urban, James	Cheek 14225
Weber, Michael	Cheek 14225
Weiglein, Robin	, Cheek 14225
Weinstein, Andy	Cheek 14227
Williams, Thomas	Buffalo 14206
Wilson, Todd	Cheek 14215
Yannarilli, Mary	, Cheek 14227
Zawadzki, Dawn	, Cheek 14211
Zilbauer, Daniel, Jr	Cheek 14225
Caprio, David	Cheek 14225
Giczkowski, Scott	14227
Goss, Michael	, Depew 14043
Gould, Matthew	14225
Grassl, Paula	14225
Hendel, Tiffany	, Sloan 14212
Hetzel, Jason	, Depew 14043
Howard, Jeannette	14215
Keefe, Matthew	14225
Kenny, Eileen	14227
Peterson, Velita	14215
Ross, Sean	14211
Sette, Jayme	14225
Zielinski, Noelle	14225

Upon Roll Call....

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

Item No. 21d Motion by Councilman Blachowski Seconded by Councilman Jaworowicz

WHEREAS, funds are presently available under the Buffalo-Cheektowaga-Tonwanda consortium, Summer Youth program, and,

WHEREAS, the Summer Youth Program, staff, will be starting on June 24, 1991, at salaries listed below, and with a termination date not to exceed August 30, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the following persons will be hired as our Summer Youth Staff at salaries specified:

PRINCIPAL COUNSELOR at \$11.76 per hour
Peter Tonsoline

Cheektowaga, NY 14043

SENIOR COUNSELOR at \$10.55 per hour
Vincent Frisicaro

Elma, NY 14059

MONITOR at \$6.87 per hour
Kathleen Makolinski

Cheektowaga 14225

Item No. 21d continued

SENIOR ADVISOR at \$5.77 per hour

William Clerici

Cheektowaga 14227

COUNSELOR at \$5.51 per hour

Kelly Jeffords

Depew, NY 14043

Upon Roll Call....

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

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

WHEREAS, by Town Board resolution, part time employees in the Tier 1 Retirement System were allowed to retire on the stipulation that they be afforded the option to immediately be rehired, AND

WHEREAS, under Section 212 of the New York State and Local Retirement System, this action is allowed provided the rehired employee does not make over \$9,360 annually, NOW, THEREFORE, BE IT

RESOLVED, that the following part-time employee(s) be and hereby is rehired, effective immediately:

Leonard Kosobucki

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga wishes to initiate a Facade Improvements Project for the revitalization of Walden Avenue between Harlem Road and Buffalo City-Line, AND

WHEREAS, funding for said project has been included in the Town of Cheektowaga's 1990-91 Community Development Block Grant program statements submitted to and approved by the Department of Housing and Urban Development, AND

WHEREAS, in conjunction with said project, the Town wishes to engage the services of an architect for the purposes of developing an architectural theme and design standards for the project and for working with retail property owners in the application of said standards to individual structures, AND

WHEREAS, proposals were solicited from qualified architects for the provision of the required services for said project, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute an agreement for professional architectural services for the Walden Avenue Facade Improvements Project with Mussachio Architects, 333 International Drive, Williamsville, NY 14221 based on the proposal submitted by said firm, for a fee not to exceed the sum of \$30,000.

Upon Roll Call....

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

Item No. 24 Motion by Councilman Gabryszak Seconded by Supervisor Swiatek

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

GENERAL FUND

From:	0100-3120-2625	Police Forefeiture Revenue A/C	\$ 525.00
	0100-3120-1561	Police Public Safety Dispatchers	20,000.00
	0100-1420-4501	Contracted Legal Services	500.00
To:	0100-3120-2205	Police Forefeiture Equip. Expense	525.00
	0100-3120-1569	Police Part-Time Public Safety Dispatchers	20,000.00
	0100-1420-4013	Law - Law Books	500.00

CAPITAL FUND

From:	5101-1910-5031	Central Garage Inter Fund Transfer	5,500.00
To:	5101-1625-0020	Central Garage Roof Imput	5,500.00

PART TOWN FUND

From:	0800-8010-1052	Zoning Board Members	400.00
To:	0800-8020-1394	Planning Board Secretary	400.00

Upon Roll Call....

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

Item No. 25 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to June 14, 1991 are hereby approved and made a part hereof:

GENERAL FUND	\$1,613,064.79
HIGHWAY FUND	318,947.12
TRUST & AGENCY FUND	13,238.80
CDGB HUD FUND	11,207.59
PART TOWN FUND	59,903.78
RISK RETENTION FUND	76,247.29
HUD REHABILITATION FUND	22,373.67
DEBT SERVICE FUND	15,465.00
SPECIAL DISTRICTS	1,721,611.40
CAPITAL FUND	273,911.78
TOTAL	<u>\$4,125,971.22</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Minutes of Cheektowaga Planning Board/May, 1991.
Received and Filed

IV. GENERAL COMMUNICATIONS

Item No. 27 Notice of Claim: Nicholas L. Rogers III vs Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Youth and
Recreation Department; Allied Claims Service, Insurance Carrier.
Received and Filed.

Item No. 28 Request to speak regarding Kennedy Road
Copies were sent to: Frank E. Swiatek, Supervisor; Council Board
Members; Traffic Safety Commission.
Received and Filed.

* * * * *

Motion by Supervisor Swiatek and Seconded by Councilman Kulyk to suspend the rules
to include the following resolution and the voting was as follows:

Upon Roll Call....

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

V. SUSPENSION OF RULES

Item No. 29 Motion by Councilman Blachowski Seconded by Supervisor Swiatek

WHEREAS, grant monies are available through the National Endowment
for the Arts-Design Program to support activities associated with the revitalization
of Walden Avenue, and

WHEREAS, the Town is in need of financial assistance to retain the
services of an architectural firm to coordinate and design facade improvements for
structures located in the area to be known as "Walden Village", and

WHEREAS, the Town desires to submit a grant application in an amount
not to exceed \$50,000; NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant con-
sultants, be authorized and directed to complete the necessary application, forms,
etc. to enable the Town to apply for a grant from this program, and BE IT FURTHER

RESOLVED, the Town's share of any required matching funds, in an
amount to be determined upon approval of the grant, is available from the Community
Development Department, Walden Avenue Improvement budget line #0700-8669-0707 and BE
IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute all documents pertaining to the application and acquisition of
this grant.

Upon Roll Call....

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

Item No. 30 Motion by Supervisor Swiatek Seconded by Councilman Gabryszak to
adjourn the meeting in memory of Lt. Norman Kolb.

RICHARD M. MOLESKI,
Town Clerk