

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of October, 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; John Schaller, Assistant Chief of Police; Chester L. Bryan, Town Engineer; Ronald Marten, Building Inspector; Salvatore LaGreca, Chairman of Planning Board, Kenneth Kopacz, Director of Youth and Recreational Services and Leonard Szymanski, Facilities Foreman.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the following proposed matter of the increase and improvement of facilities of Cheektowaga Consolidated Refuse and Garbage District, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law, which provides as attached.

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.

*SEE NEXT PAGE(S) FOR ATTACHMENT

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on the 16th day of September, 1991.

PRESENT:

Hon. Frank E. Swiatek, Supervisor
Patricia A. Jaworowicz, Councilperson
Dennis H. Gabryszak, Councilperson
Richard B. Solecki, Councilperson
William P. Rogowski, Councilperson
Jacqueline A. Blachowski, Councilperson
~~COUNCILPERSON~~

In the Matter
of the

Increase and Improvement of Facilities of Cheektowaga Consolidated Refuse and Garbage District, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law).

ORDER CALLING PUBLIC
HEARING TO BE HELD ON
OCTOBER 7, 1991

WHEREAS, the Northern Recycling Council ("Council"), a joint board, was provided for pursuant to an intermunicipal agreement, dated as of June 20, 1990, to administer the development, acquisition, construction, financing, operation and maintenance of a joint materials recovery facility (the "Joint Facility") including the sale of recovered materials therefrom;

WHEREAS, certain municipalities have been invited by the Council to enter into agreements for the development, acquisition, construction, financing, operation and maintenance of the Joint Facility by execution of the Agreement for Reconstitution of Northern Recycling Council dated as of September 10, 1991 (hereinafter called the "Reconstitution Agreement") pursuant to Sections 120-w and 120-aa of the General Municipal Law, constituting Chapter 24 of the Consolidated Laws of the State of New York, and other applicable laws to become effective upon the execution of the Transition Agreement, dated as of September 10, 1991 (hereinafter called the "Transition Agreement") by each Member Municipality (as defined therein) and

by the Council, and by the execution of the Reconstitution Agreement by the Village of Depew and of a sufficient number of other municipalities with an aggregate population of not less than 200,000 (such accepted municipalities other than the Village of Depew to be hereinafter referred to as the "Participating Municipalities"), for the joint construction, acquisition, operation, maintenance and financing of the Joint Facility to service the Participating Municipalities and such Participating Municipalities expect to duly authorize the joint construction, acquisition, operation, maintenance and financing of the Joint Facility;

WHEREAS, each Participating Municipality expects to adopt resolutions either appropriating current funds or authorizing the contracting of several indebtedness of its allocated share of an aggregate amount not to exceed \$3,500,000 to finance the estimated total capital cost of the Joint Facility by the issuance of bonds, for which the faith and credit of each Participating Municipality would be pledged, as evidence of its allocated share of such capital cost;

WHEREAS, the Council has applied for and expects to receive a grant of State funds pursuant to the Environmental Quality Bond Act, Article 51, Title 9 of the Environmental Conservation Law and which upon receipt will be applied to reduce debt service on the secured indebtedness or to repay appropriations of current funds on an allocated share basis;

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town," respectively), in the County of Erie, New York on behalf of the Cheektowaga Consolidated Refuse and Garbage District, in the Town (herein called "District"), proposes to increase and improve the facilities of the District by authorizing the joint construction and acquisition of the joint facility to be located in the Village of Depew and by committing to be bound by the Transition Agreement and the Reconstitution Agreement for the development, acquisition, construction, financing, operation and maintenance of the Joint Facility, and has estimated the total maximum capital cost to the District of said increase and improvement of facilities to be \$1,477,000;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Broadway & Union Road, Cheektowaga, New York in the Town, on the 7th day of October 1991 at 7:30 o'clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District as hereinafter above referred to 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 thereto as may be required by law;

FURTHER ORDERED, that the Town Clerk publish at least once in the "CHEEKTOWAGA TIMES", a newspaper published in the Town, and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, 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: SEPTEMBER 16, 1991

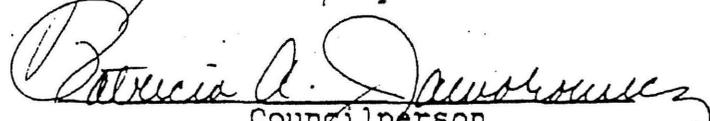
TOWN BOARD OF THE TOWN OF CHEEKTOWAGA



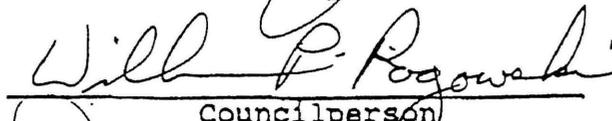
Supervisor



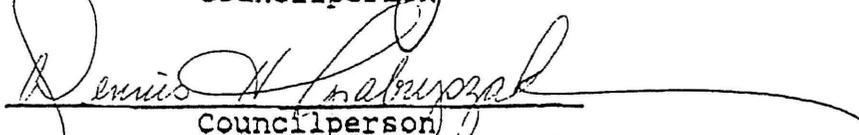
Councilperson



Councilperson



Councilperson



Councilperson

Councilperson



Councilperson

(SEAL)

Members of the Town Board of the
Town of Cheektowaga, New York

STATE OF NEW YORK)
 : ss.:
COUNTY OF ERIE)

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 16th day of September, 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 on this 16th day of September, 1991.

(SEAL)

Richard M. Moleski
Town Clerk

II. RESOLUTIONS

Item No. 3a Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

RESOLVED that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for the Fiscal Year beginning on the 1st day of January, 1992, the itemized statement of estimated revenues and expenditures hereto attached and made a part of this resolution, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage Districts hereto attached and made a part of this resolution, AND, BE IT FURTHER

RESOLVED that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, effective October 17, 1991, AND, BE IT FURTHER

RESOLVED that this Town Board shall meet at 6:30 o'clock P.M., Eastern Standard Time on the 28th day of October, 1991, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets, AND, BE IT FURTHER

RESOLVED that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA TIMES, the official Town newspaper on October 17, 1991, and post same on the signboard maintained by the Town Clerk.

LEGAL NOTICE
of
PUBLIC HEARING
on
PRELIMINARY BUDGET
and
LIGHTING DISTRICTS and CONSOLIDATED GARBAGE DISTRICT BUDGETS

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 1992, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours, effective October 17, 1991.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 6:30 o'clock P.M., Eastern Standard Time on the 28th day of October, 1991, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:

SUPERVISOR	\$53,176.00
TOWN CLERK	\$42,124.00
HIGHWAY SUPERINTENDENT	\$48,451.00
COUNCILMEN	\$17,252.00

Item No. 3a continued

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: October 7, 1991

PUBLISHED: October 17, 1991

* * * * *

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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TENTATIVE
BUDGET

FUND	0100 - GENERAL FUND	
DEPARTMENT	1110 - REVENUES	
0100-1110-2000-2610	FINES & FORFEITED BAIL	375,000.00-
0100-1110-2000-2655	JUSTICES MISC REVENUES	7,000.00-
0100-1220-3000-3320	DISASTER PREPAREDNESS	20,000.00-
0100-1410-1000-1255	TOWN CLERK FEES, REAL	155,050.00-
0100-1410-1000-1550	TOWN DOG LICENSE FEES,	58,000.00-
0100-1410-2000-2530	GAMES OF CHANCE	550.00-
0100-1410-2000-2540	BINGO LICENSES	14,000.00-
0100-1410-2000-2544	DOG LICENSES	7,500.00-
0100-1640-3000-3500	CET GAR GRANT REVENUES	25,000.00-
0100-1910-1000-1001	TAX LEVY, REAL PROPERT	14,792,813.79-
0100-1910-1000-1002	TAXES-TRANS EXEMPT PRO	31,000.00-
0100-1910-1000-1081	OTHER PAYMENTS IN LIEU	165,000.00-
0100-1910-1000-1090	INTEREST & PENALTY-TAX	125,000.00-
0100-1910-1000-1120	SALES TAX, REAL PROPER	1,041,908.00-
0100-1910-1000-1170	FRANCHISES-CABLE TV, R	120,000.00-
0100-1910-2000-2401	INTEREST EARNINGS	400,000.00-
0100-1910-2000-2655	MINOR SALES, OTHER	10,000.00-

TENTATIVE
BUDGET

FUND	0100 - GENERAL FUND	
DEPARTMENT	1910 - REVENUES	
0100-1910-2000-2680	INSURANCE RECOVERIES	5,000.00-
0100-1910-2000-2701	REFUNDS OF PRIOR YEARS	40,000.00-
0100-1910-2000-2799	APPROPRIATED FUND BALA	600,000.00-
0100-1910-3000-3005	MORTGAGE TAX	900,000.00-
0100-3120-2000-2625	CRIME FORFEITURE REVEN	35,000.00-
0100-3120-2000-2655	CRIME FORFEITURES	1,000.00-
0100-3310-3000-3008	TRAFFIC SAFETY	90,000.00-
0100-6250-4000-4721	JTPA--JOB TRAINING PRO	225,000.00-
0100-7110-2000-2002	SHELTER PERMITS, REAL	15,000.00-
0100-7110-2000-2012	RECREATION CONCESSIONS	5,000.00-
0100-7140-2000-2023	ICE RENTAL-RECREATION,	12,000.00-
0100-7140-2000-2025	REC FEES 7 I.D. REGIST	8,000.00-
0100-7140-2000-2027	SPECIAL EVENTS-REC, RE	100,000.00-
0100-7140-2000-2029	NEW REC PROGRAMS	50,000.00-
0100-7310-2000-2070	OTHER YOUTH CONTRIBUTI	25,000.00-
0100-7310-3000-3820	YOUTH PROGRAMS	100,000.00-
0100-7550-2000-2039	POLISH FESTIVAL REVENU	15,000.00-

	TENTATIVE BUDGET
FUND 0100 - GENERAL FUND	
DEPARTMENT 7620 - REVENUES	
0100-7620-2000-2024 CERAMIC FEES, REAL PRO	2,800.00-
0100-7620-2000-2030 SR CITIZENS-VAN RECEIP	10,000.00-
0100-7620-2000-2036 R. CITIZENS-SPEC EVEN	25,000.00-
0100-7620-3000-3801 PROGRAMS FOR ELDERLY	2,747.00-
0100-7620-4000-4737 NUTRITION SITE FEES	6,000.00-
TOTAL REVENUES	19,620,368.79-
TOTAL DEPT.	19,620,368.79-

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1010 - TOWN BOARD

PERSONNEL	155,433.00
CONTRACTUAL	8,040.00
TOTAL EXPENSES	163,473.00
TOTAL DEPT.	163,473.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1110 - JUSTICE

PERSONNEL	364,954.00
EQUIPMENT	6,000.00
CONTRACTUAL	44,500.00
TOTAL EXPENSES	415,454.00
TOTAL DEPT.	415,454.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1220 - SUPERVISOR

PERSONNEL	150,189.00
CONTRACTUAL	121,150.00
TOTAL EXPENSES	271,339.00
TOTAL DEPT.	271,339.00

TENTATIVE
BUDGET

FUND	0100 - GENERAL FUND	
DEPARTMENT	1320 - OUTSIDE ACCOUNTING & AUDITING	
CONTRACTUAL		27,500.00
TOTAL EXPENSES		27,500.00
TOTAL DEPT.		27,500.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1330 - TAX OFFICE

PERSONNEL	53,635.00
CONTRACTUAL	9,904.00
TOTAL EXPENSES	63,539.00
TOTAL DEPT.	63,539.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1355 - ASSESSOR'S

PERSONNEL	57,390.00
CONTRACTUAL	130,685.00
TOTAL EXPENSES	188,075.00
TOTAL DEPT.	188,075.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1356 - ASSESSMENT REVIEW BOARD

PERSONNEL	6,387.00
CONTRACTUAL	716.00
TOTAL EXPENSES	7,103.00
TOTAL DEPT.	7,103.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1410 - TOWN CLERK

PERSONNEL	269,250.00
CONTRACTUAL	73,600.00
TOTAL EXPENSES	342,850.00
TOTAL DEPT.	342,850.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1420 - ATTORNEY

PERSONNEL	69,682.00
CONTRACTUAL	24,500.00
TOTAL EXPENSES	94,182.00
TOTAL DEPT.	94,182.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1430 - PERSONNEL DEPT.

PERSONNEL	26,838.00
CONTRACTUAL	4,081.00
TOTAL EXPENSES	30,919.00
TOTAL DEPT.	30,919.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1440 - ENGINEERING

PERSONNEL	67,873.00
CONTRACTUAL	12,240.00
TOTAL EXPENSES	80,113.00
TOTAL DEPT.	80,113.00

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TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1450 - ELECTION

PERSONNEL	122,858.00
CONTRACTUAL	50,730.00
TOTAL EXPENSES	173,588.00
TOTAL DEPT.	173,588.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1625 - BUILDING AND GROUNDS

PERSONNEL	421,764.00
EQUIPMENT	1,500.00
1 CONTRACTUAL	379,924.00
TOTAL EXPENSES	803,188.00
TOTAL DEPT.	803,188.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1640 - CENTRAL GARAGE

PERSONNEL	472.00-
CONTRACTUAL	270,358.00
TOTAL EXPENSES	269,886.00
TOTAL DEPT.	269,886.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 1910 - SPECIAL ITEMS

CONTRACTUAL	251,515.00
TOTAL EXPENSES	251,515.00
TOTAL DEPT.	251,515.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 3020 - COMMUNICATION SYSTEM

EQUIPMENT	3,500.00
CONTRACTUAL	44,000.00
TOTAL EXPENSES	47,500.00
TOTAL DEPT.	47,500.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 3120 - POLICE

PERSONNEL	7,469,128.00
EQUIPMENT	120,300.00
CONTRACTUAL	68,560.00
TOTAL EXPENSES	7,657,988.00
TOTAL DEPT.	7,657,988.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 3310 - TRAFFIC CONTROL

PERSONNEL	9,459.00
CONTRACTUAL	120,700.00
TOTAL EXPENSES	130,159.00
TOTAL DEPT.	130,159.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 3510 - CONTROL OF DOGS

PERSONNEL	40,989.00
CONTRACTUAL	13,560.00
TOTAL EXPENSES	54,549.00
TOTAL DEPT.	54,549.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 3610 - TRAFFIC SAFETY COMMISSION

PERSONNEL	2,000.00
CONTRACTUAL	885.00
TOTAL EXPENSES	2,885.00
TOTAL DEPT.	2,885.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 5010 - HIGHWAY SUPERINTENDENT

PERSONNEL	46,682.00
TOTAL EXPENSES	46,682.00
TOTAL DEPT.	46,682.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 5132 - HIGHWAY GARAGE

CONTRACTUAL 79,030.00

TOTAL EXPENSES 79,030.00

TOTAL DEPT. 79,030.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 6250 - JOB TRAINING

PERSONNEL	177,760.00
CONTRACTUAL	12,000.00
FRINGE BENEFITS	35,240.00
TOTAL EXPENSES	225,000.00
TOTAL DEPT.	225,000.00

TENTATIVE
BUDGET

FUND , 0100 - GENERAL FUND
DEPARTMENT 6510 - VETERANS SERVICES

CONTRACTUAL	3,400.00
TOTAL EXPENSES	3,400.00
TOTAL DEPT.	3,400.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7110 - PARKS

PERSONNEL	825,337.00
CONTRACTUAL	543,620.00
TOTAL EXPENSES	1,368,957.00
TOTAL DEPT.	1,368,957.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7140 - RECREATION

PERSONNEL	263,999.00
CONTRACTUAL	111,762.00
TOTAL EXPENSES	375,761.00
TOTAL DEPT.	375,761.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7180 - BEACH AND POOLS-RECREATION

PERSONNEL	72,422.00
CONTRACTUAL	6,000.00
TOTAL EXPENSES	78,422.00
TOTAL DEPT.	78,422.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7270 - CULTURAL GROUPS

CONTRACTUAL	15,272.50
TOTAL EXPENSES	15,272.50
TOTAL DEPT.	15,272.50

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7310 - YOUTH DEPARTMENT

PERSONNEL	334,125.00
CONTRACTUAL	222,147.00
TOTAL EXPENSES	556,272.00
TOTAL DEPT.	556,272.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7410 - LIBRARY

PERSONNEL	500.00
CONTRACTUAL	44,523.00
TOTAL EXPENSES	45,023.00
TOTAL DEPT.	45,023.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7510 - HISTORIAN

EQUIPMENT	500.00
CONTRACTUAL	2,750.00
TOTAL EXPENSES	3,250.00
TOTAL DEPT.	3,250.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7550 - CELEBRATIONS

CONTRACTUAL	26,200.00
TOTAL EXPENSES	26,200.00
TOTAL DEPT.	26,200.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 7620 - SENIOR SERVICES

PERSONNEL	253,676.00
CONTRACTUAL	100,750.00
TOTAL EXPENSES	354,426.00
TOTAL DEPT.	354,426.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 8540 - DRAINAGE

CONTRACTUAL	10,000.00
TOTAL EXPENSES	10,000.00
TOTAL DEPT.	10,000.00

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TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 9010 - EMPLOYEE BENEFITS

FRINGE BENEFITS	3,517,504.29
TOTAL EXPENSES	3,517,504.29
TOTAL DEPT.	3,517,504.29

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 9501 - INTERFUND TRANSFERS

INTER-FUND TRANSFERS	1,559,364.00
TOTAL EXPENSES	1,559,364.00
TOTAL DEPT.	1,559,364.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 9902 - TRANSFER TO RISK RETENTION

INTER-FUND TRANSFERS	280,000.00
TOTAL EXPENSES	280,000.00
TOTAL DEPT.	280,000.00

TENTATIVE
BUDGET

FUND 0100 - GENERAL FUND
DEPARTMENT 9999 - HUD

TOTAL EXPENSES

TOTAL DEPT.

TOTAL FUND - EXP 19,620,368.79

TOTAL FUND - REV 19,620,368.79-

TENTATIVE
BUDGET

FUND	DEPARTMENT		TENTATIVE BUDGET
0300 - HIGHWAY FUND	1910 - REVENUES		
0300-1910-1000-1120	SALES TAX HIGHWAY-REV		3,900,606.00-
0300-1910-2000-2401	INTEREST EARNING-HGWY		10,000.00-
0300-1910-2000-2799	PPROPRAITED FUND BALA		300,000.00-
0300-1910-3000-3002	PER CAPITA-RESTRICTED		650,000.00-
0300-5110-2000-2770	TREE PLANTING		10,000.00-
0300-5110-3000-3501	NYS AID-IMPROVEMENT PR		165,000.00-
0300-5140-5000-5140	HIGHWAY/STREETS CUTS		5,000.00-
0300-5148-2000-2300	SERVICES FROM OTHER GO		81,016.00-
	TOTAL REVENUES		5,121,622.00-
	TOTAL DEPT.		5,121,622.00-

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 1930 - WORKERS' COMPENSATION

CONTRACTUAL	1,004.00
TOTAL EXPENSES	1,004.00
TOTAL DEPT.	1,004.00

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 5110 - HIGHWAY-GENERAL

PERSONNEL	780,564.95
CONTRACTUAL	195,200.00
TOTAL EXPENSES	975,764.95
TOTAL DEPT.	975,764.95

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 5130 - HIGHWAY MACHINERY

PERSONNEL	359,155.65
EQUIPMENT	10,000.00
CONTRACTUAL	165,000.00
TOTAL EXPENSES	534,155.65
TOTAL DEPT.	534,155.65

TENTATIVE
BUDGET

FUND	0300 - HIGHWAY FUND	
DEPARTMENT	5140 - HIGHWAY - MISC BRUSH AND WEED	
PERSONNEL		466,509.49
CONTRACTUAL		51,300.00
TOTAL EXPENSES		517,809.49
TOTAL DEPT.		517,809.49

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 5141 - HIGHWAY LABOR

PERSONNEL

TOTAL EXPENSES

TOTAL DEPT.

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 5142 - HIGHWAY SNOW REMOVAL

PERSONNEL	598,592.75
CONTRACTUAL	180,000.00
TOTAL EXPENSES	778,592.75
TOTAL DEPT.	778,592.75

TENTATIVE
BUDGET

FUND	0300 - HIGHWAY FUND	
DEPARTMENT	5148 - HIGHWAY SERVICES OTHER GOVT.	
PERSONNEL		33,521.19
CONTRACTUAL		4,000.00
TOTAL EXPENSES		37,521.19
TOTAL DEPT.		37,521.19

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 5150 - HIGHWAY IMPROVEMENTS

PERSONNEL	167,605.97
CONTRACTUAL	370,000.00
TOTAL EXPENSES	537,605.97
TOTAL DEPT.	537,605.97

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 8210 - STORM SEWERS

CONTRACTUAL	20,000.00
TOTAL EXPENSES	20,000.00
TOTAL DEPT.	20,000.00

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 8540 - DRAINAGE

CONTRACTUAL 5,000.00

TOTAL EXPENSES 5,000.00

TOTAL DEPT. 5,000.00

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TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 9010 - EMPLOYEE BENEFITS

FRINGE BENEFITS	640,278.00
TOTAL EXPENSES	640,278.00
TOTAL DEPT.	640,278.00

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 9501 - INTERFUND TRANSFERS

INTER-FUND TRANSFERS 973,890.00

TOTAL EXPENSES 973,890.00

TOTAL DEPT. 973,890.00

TENTATIVE
BUDGET

FUND 0300 - HIGHWAY FUND
DEPARTMENT 9902 - TRANSFER TO RISK RETENTION

TOTAL EXPENSES 100,000.00

TOTAL DEPT. 100,000.00

TOTAL FUND - EXP 5,121,622.00

TOTAL FUND - REV 5,121,622.00-

TENTATIVE
BUDGET

FUND	0800 - PART TOWN FUND	
DEPARTMENT	1910 - REVENUES	
0800-1910-1000-1120	SALES TAX - ERIE COUNTY	271,957.00-
0800-3620-2000-2770	PERMITS & INSPECTION	200,000.00-
0800-3620-3000-3010	FIRE CODE SAFETY	55,000.00-
TOTAL REVENUES		526,957.00-
TOTAL DEPT.		526,957.00-

TENTATIVE
BUDGET

=UND 0800 - PART TOWN FUND
DEPARTMENT 3620 - BUILDING INSPECTOR

PERSONNEL	326,372.00
CONTRACTUAL	13,124.00
TOTAL EXPENSES	339,496.00
TOTAL DEPT.	339,496.00

TENTATIVE
BUDGET

FUND 0800 - PART TOWN FUND
DEPARTMENT 8010 - ZONING BOARD

PERSONNEL	18,616.00
CONTRACTUAL	10,000.00
TOTAL EXPENSES	28,616.00
TOTAL DEPT.	28,616.00

TENTATIVE
BUDGET

FUND 0800 - PART TOWN FUND
DEPARTMENT 8020 - PLANNING BOARD

PERSONNEL	22,514.00
CONTRACTUAL	200.00
TOTAL EXPENSES	22,714.00
TOTAL DEPT.	22,714.00

TENTATIVE
BUDGET

FUND 0800 - PART TOWN FUND
DEPARTMENT 9010 - EMPLOYEE BENEFITS

FRINGE BENEFITS	83,631.00
TOTAL EXPENSES	83,631.00
TOTAL DEPT.	83,631.00

TENTATIVE
BUDGET

FUND 0800 - PART TOWN FUND
DEPARTMENT 9501 - INTERFUND TRANSFERS

TOTAL EXPENSES 50,000.00

TOTAL DEPT. 50,000.00

TOTAL FUND - EXP 526,957.00

TOTAL FUND - REV 526,957.00-

TENTATIVE
BUDGET

FUND	1500 - CONSOLIDATED GARBAGE	
DEPARTMENT	1910 - REVENUES	
1500-1910-1000-1001	TAX LEVY, TAX LEVY-CON	5,334,961.00-
1500-1910-2000-2401	INTEREST EARNINGS-GARB	200,000.00-
1500-1910-2000-2799	APPROPRIATED FUND BALA	550,000.00-
1500-8160-2000-2655	MINOR SALES & REVENUES	50,000.00-
1500-8173-2000-2651	SALE OF REFUSE-RECYCLI	15,000.00-
TOTAL REVENUES		6,149,961.00-
TOTAL DEPT.		6,149,961.00-

TENTATIVE
BUDGET

FUND 1500 - CONSOLIDATED GARBAGE
DEPARTMENT 8160 - SANITATION

PERSONNEL	1,970,307.00
EQUIPMENT	4,500.00
CONTRACTUAL	2,598,024.00
FRINGE BENEFITS	760,481.00
INTER-FUND TRANSFERS	105,493.00
TOTAL EXPENSES	5,438,805.00
TOTAL DEPT.	5,438,805.00

TENTATIVE
BUDGET

FUND	1500 - CONSOLIDATED GARBAGE	
DEPARTMENT	8173 - RECYCLING	
PERSONNEL		292,892.00
CONTRACTUAL		241,750.00
FRINGE BENEFITS		26,514.00
TOTAL EXPENSES		561,156.00
TOTAL DEPT.		561,156.00

TENTATIVE
BUDGET

FUND 1500 - CONSOLIDATED GARBAGE
DEPARTMENT 9902 - TRANSFER TO RISK RETENTION

TOTAL EXPENSES 150,000.00

TOTAL DEPT. 150,000.00

TOTAL FUND - EXP 6,149,961.00

TOTAL FUND - REV 6,149,961.00-

TENTATIVE
BUDGET

FUND	9000 - LIGHTING DISTRICT	
DEPARTMENT	1910 - REVENUES	
7000-1910-1000-1001	TAX LEVY	1,481,348.00-
7000-1910-2000-2401	INTEREST ON INVESTMENT	74,000.00-
7000-1910-2000-2799	PROP. FUND BALANCE	263,294.00-
TOTAL REVENUES		1,818,642.00-
TOTAL DEPT.		1,818,642.00-

TENTATIVE
BUDGET

FUND 9000 - LIGHTING DISTRICT
DEPARTMENT 5182 - LIGHTING DISTRICT

PERSONNEL	37,500.00
CONTRACTUAL	1,769,154.00
TOTAL EXPENSES	1,806,654.00
TOTAL DEPT.	1,806,654.00

		TENTATIVE BUDGET
FUND	9000 - LIGHTING DISTRICT	
DEPARTMENT	9010 - EMPLOYEE BENEFITS	
	FRINGE BENEFITS	11,988.00
	TOTAL EXPENSES	11,988.00
	TOTAL DEPT.	11,988.00
	TOTAL FUND - EXP	1,818,642.00
	TOTAL FUND - REV	1,818,642.00-

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

**LEGAL NOTICE
OF
PUBLIC HEARING
ON
PRELIMINARY BUDGET
AND
LIGHTING DISTRICTS AND
CONSOLIDATED GARBAGE
DISTRICT BUDGETS**
NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 1992, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours, effective October 17, 1991.
FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 6:30 o'clock P.M., Eastern Standard Time on the 28th day of October, 1991, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item or items therein contained.
Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:
SUPERVISOR...\$53,176.00
TOWN CLERK...\$42,124.00
HIGHWAY SUPERINTENDENT...\$48,451.00
COUNCILMEN...\$17,252.00
BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD MOLESKI,
Town Clerk
DATED: October 7, 1991
PUBLISH: October 17, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication October 17, 1991.....; last publication October 17, 1991.....; and that no more than six days intervened between publications.

Melanie Wolf.....
Sworn to before me this 17th.....
day of October....., 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

Item No. 3b Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 1992 revenues and expenditures for every district in which the expenses of the improvement is to be assessed on a benefit basis, AND

WHEREAS, this Town Board has assessed the Special District costs on a benefit basis against the lots or parcels of land against which the improvement was chargeable, AND

WHEREAS, this Town Board had prepared an assessment roll for each district describing each lot of land in the district, the owner thereof, and the assessment levied against it, AND

WHEREAS, this Town Board has filed such estimates and assessment rolls with the Town Clerk, NOW, THEREFORE, BE IT

RESOLVED that this Town Board shall meet at 6:30 o'clock P.M., Eastern Standard Time on the 28th day of October, 1991 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, AND, BE IT FURTHER

RESOLVED that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEEKTOWAGA TIMES the official Town newspaper on October 17, 1991

* * * * *

P U B L I C N O T I C E

NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, New York has completed its Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.

NOTICE is also given that a public hearing on such Estimates and Assessment Rolls will be held on October 28, 1991 at 6:30 o'clock P.M., Eastern Standard Time at the Town Hall, corner of Union and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: October 7, 1991
PUBLISHED: October 17, 1991

* * * * *

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

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
PUBLIC NOTICE**
NOTICE IS HEREBY GIVEN that the Town Board of Cheektowaga, New York has completed its Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.
NOTICE is also given that a public hearing on such Estimates and Assessment Rolls will be held on October 28, 1991 at 6:30 o'clock P.M., Eastern Standard Time at the Town Hall, corner of Union and Broadway, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.
BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD M. MOLESKI
Town Clerk
DATED: October 7, 1991
PUBLISH: October 17, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks: first publication *October 17, 1991*.....; last publication *October 17, 1991*.....; and that no more than six days intervened between publications.

Melanie Wolf.....
Sworn to before me this *17th*.....
day of *October*....., 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

Item No. 3c Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Thomas D. Ziolkowski has made application and requested the rezoning of property located at Fronckowiak Avenue, east corner of Maischoss Street from R-Residential District to RA-Apartment District said applicant having the permission of owner, Patricia Ann Smith, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on October 21, 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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of OCTOBER, 1991 at 7:00 o'clock, P.M., Eastern DAYLIGHT SAVING Time of said day for the purpose of considering the application of THOMAS D. ZIOLKOWSKI/PATRICIA A. SMITH to Rezone from R-RESIDENTIAL District to RA-APARTMENT District on property located at EAST CORNER OF FRONCKOWIAK AVE. & MAISCHOSS ST. and amend 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. 84, Township 10, Range 7 of the Holland Land Survey, bounded and described as follows:

BEGINNING at a point in the northerly line of said Lot Number eighty-four (84), distant one thousand four hundred thirty-two and two hundredths (1432.02) feet easterly from the northwest corner of Lot Number eighty-three (83), Township ten (10), Range seven (7) as measured along the northerly lines of said Lots Numbers eighty-three (83) and eighty-four (84), draw a line, at a right angle, thirty-three (33) feet in length, extending to the southwest line of Fronckowiak Avenue, the intersection of said line with the said southwest line of Fronckowiak Avenue being the point or place of beginning, thence southerly at right angles with the northerly line of said Lot Number eighty-four (84),

one hundred forty-five (145) feet to a point; thence easterly at a right angle, one hundred thirteen (113) feet to a point on a line dividing the property of Storey (see deed recorded May 22, 1931 in Liber 2163 of Deeds at page 436) from the property of Biernacki (see deed recorded in Liber 2045 of Deeds at page 598); thence northerly along said last-mentioned line, ninety-seven and one-half (97.5) feet to the southwest line of Fronckowiak Avenue; thence northwesterly along southwest line of Fronckowiak Avenue one hundred twenty-two and fifty-six hundredths (122.56) 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 Richard B. Solecki
- Councilman William P. Rogowski
- Councilman Jacqueline A. Blachowski

RICHARD M. MOLESKI
Town Clerk

PUBLISH: October 10, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for*1*..... weeks: first publication...*October 10, 1991*...; last publication...*October 10, 1991*...; and that no more than six days intervened between publications.

Melanie Wolf
.....*10th*.....

Sworn to before me this

day of *October*, 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

Item No. 3d Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, Empire Auto and Plate Glass has made application and requested a Special Use Permit for property located at 2368 Genesee Street for auto glass installation, with the permission of the owner of the property, namely Paul Fusani, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on October 21, 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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road on the 21st day of OCTOBER, 1991 at 7:00 o'clock, P.M., Eastern DAYLIGHT SAVING Time of said day for the purpose of considering the application of P. FUSANI/EMPIRE AUTO GLASS/J. ZASOWSKI for a Special Permit to operate an auto glass installation business on property located at 2368 GENESEE 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.

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. 34, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed under Cover No. 597 is known as Subdivision Lots Nos. 5, 6, 7, 8, 9 and 10.

AND ALSO

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 34, Township 11, Range 7, of the Holland Land Company's Survey, and according to a Map filed in the Erie County Clerk's Office under Map Cover No. 597, is known as Subdivision Lot Nos. 3 and 4, and being 63.74 feet front; 60.24 feet rear by 133.36 feet in depth; on the west line, 112.52 feet in depth on the east line, situate on the north side of Genesee Street, and commencing 63.74 feet east of Andrews Avenue, as shown on said Map.

THIS DEED is being recorded since the Grantor herein is being dissolved and the Grantees herein are the sole stockholders and principal parties of said corporation.

BY ORDER OF THE TOWN BOARD

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

RICHARD M. MOLESKI

Town Clerk

PUBLISH: October 10, 1991

**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) isclerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication...October 10, 1991...; last publication...October 10, 1991...; and that no more than six days intervened between publications.

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

Sworn to before me this10th.....

day ofOctober....., 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 12/11/01

Item No. 3e 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 October 21, 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 10th day of October, 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 October 21, 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 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>
Glenwood Ct. east-west leg	East-west	Glenwood Ct. north-south leg	Northbound	S.E. corner
Baywood Dr.	East-west	Knollwood Dr.	Northbound	S.E. 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:

B. No parking anytime

Autumnwood Drive	south side	from the west curblin of Borden Road to the east edge of the driveway at No. 19 Autumnwood Drive, a distance of 225 feet.
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY,
NEW YORK.

RICHARD M. MOLESKI
TOWN CLERK

Dated: October 7, 1991

* * * * *

Item No. 3e continued

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, 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.....October 10, 1991.....;
 last publication.....October 10, 1991.....;
 and that no more than six days intervened be-
 tween publications.

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

Sworn to before me this10th.....
 day ofOctober....., 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, corner of Broadway and Union Road, in said Town of Cheektowaga on October 21, 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 intersection 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:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Glenwood Ct. east-west leg	East-west	GLENWOOD CT.	Northbound	S.E. corner north-south leg
Baywood Dr.	East-west	KNOLLWOOD DR.	Northbound	S.E. 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:

B. No parking anytime

AUTUMNWOOD DRIVE south side from the west curbline of Borden Road to the east edge of the driveway at No. 19 Autumnwood Drive, a distance of 225 feet.

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

Dated: October 7, 1991.

RICHARD M. MOLESKI
 Town Clerk

PUBLISH: October 10, 1991

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

WHEREAS, sealed bid proposals were received at a meeting held in Cheektowaga Town Hall for Sash Replacement at the Alexander Community Center, AND

WHEREAS, Raymond E. Kelley, Inc. submitted the lowest responsible bid for said Sash Replacement with a Base Bid of \$27,900.00, AND

WHEREAS, Raymond E. Kelley, Inc. submitted the lowest responsible bid for Sash Replacement at the Alexander Community Center under the Unit Bid Pricing Structure Type A through Type O, AND

WHEREAS, Scaffidi & Moore Architects and Facilities Department Director, James J. Matecki have reviewed said Bid Documents for compliance with the terms of the Specifications for Sash Replacement at the Alexander Community Center, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards Raymond E. Kelley, Inc., 33 Main Street, Bowmansville, New York 14026, the contract for Sash Replacement at the Alexander Community Center, Base Bid Award at \$27,900.00 with \$46,251 Unit Price Additions (\$74,151 total), and BE IT FURTHER

RESOLVED, that the Unit Bid price awarded to Raymond E. Kelley, Inc. is valid for a two (2) year period with 10% inflation factor per year, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5012-1625-1100.

Upon Roll Call....

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

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

WHEREAS, the Sewer Maintenance Department is in need of various vehicles, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of various vehicles for the Sewer Maintenance Department, information for bidders and specifications may be obtained from the office of the Town Clerk, said Notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on October 21, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, at which time they will be publicly opened and read.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on October 21, 1991 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of various vehicles for the Sewer Maintenance Department.

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

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

Item No. 5a continued

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

Richard M. Moleski
Town Clerk

Dated: October 7, 1991

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

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
NOTICE TO BIDDERS**
Sealed proposals will be received by the Town of Cheektowaga on October 21, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of various vehicles for the Sewer Maintenance Department.
Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.
The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.
By order of the Town Board of the Town of Cheektowaga, Erie County, New York.
Richard M. Moleski
Town Clerk
Dated: October 7, 1991
PUBLISH: October 10, 1991

.....Melanie Wolf....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) isClerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication.....October 10, 1991; last publication.....October 10, 1991; and that no more than six days intervened between publications.

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

Sworn to before me this10th.....

day ofOctober....., 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

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

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the William Street Beautification in Fall 1991. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York 14227. NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Friday, October 18, 1991 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Friday, October 18, 1991, at a public bid opening at 11:00 A.M. at the Town Hall, Broadway and Union Road, New York, for the purpose of furnishing new trees for the William Street Beautification in Fall, 1991.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Christopher J. Kowal, 3145 Union Road, Cheektowaga, New York 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA,
NEW YORK**
SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Friday, October 18, 1991, at a public bid opening at 11:00 A.M. at the Town Hall, Broadway & Union Rds., Town of Cheektowaga, New York, for the purpose of furnishing new trees for the William Street beautification in fall, 1991. Specifications for new trees may be picked up at the office of the Superintendent of Highways, Christopher J. Kowal, 3145 Union Road, Cheektowaga, New York, 14227, between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.
NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.
Richard Moleski
Town Clerk
Town of Cheektowaga
PUBLISH: October 10, 1991

...Melanie Walf....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) isClerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication...October 10, 1991...; last publication...October 10, 1991...; and that no more than six days intervened between publications.

Melanie Walf.....

Sworn to before me this10th..... day of ...October....., 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

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

WHEREAS, the Town of Cheektowaga acquired property located at 1277 and 1281-1287 Walden Avenue from the County of Erie in March of 1991 with the intent that such property would be utilized as an entrance-way to the proposed commerce park on Walden Avenue, and

WHEREAS, after evaluating the dwelling and property located at 1277 Walden Avenue, this Town Board and the Cheektowaga Economic Development Corporation are in agreement that such property is not needed for the entrance-way to the commerce park, and

WHEREAS, 1277 Walden Avenue is of no other use to the Town and is surplus property which the Town wishes to dispose of same, NOW, THEREFORE, BE IT

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

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

NOTICE OF SALE

TAKE NOTICE that the Town of Cheektowaga will accept offers for the purchase of real property located at 1277 Walden Avenue in the Town of Cheektowaga.

Description of Property:

Two-Family Dwelling

Lot Size: 34 ft. frontage by 150 ft. depth

Located on south side of Walden Ave., west of Harlem Rd.

Terms of Sale:

Property will be sold "AS IS"; no warranties will be provided.

No survey will be provided.

No title search/abstract of title will be provided.

Quit Claim Deed or Bargain & Sale Deed only will be provided.

Cash Sale; no financing available from seller.

At least 10% of the offered purchase price shall be submitted with the offer by cash or certified check made payable to the "Town of Cheektowaga". The balance of the purchase price shall be paid within 30 days of the acceptance of the offer by the Town.

On-site inspections may be made by contacting Richard Willis at (716)683-4150.

Written offers shall be submitted to the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 in sealed envelopes marked "1277 Walden Avenue" on or before 11:00 A.M. on October 18, 1991.

The Town of Cheektowaga reserves the right to reject any and all offers.

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



RICHARD M. MOLESKI
Town Clerk

Dated: October 7, 1991.

LEGAL NOTICE
NOTICE OF SALE
TAKE NOTICE that the Town of Cheektowaga will accept offers for the purchase of real property located at 1277 Walden Avenue in the Town of Cheektowaga.

Description of Property:
 Two-Family Dwelling
 Lot Size: 34 ft. frontage by 150 ft. depth
 Located on south side of Walden Ave., west of Harlem Rd.

Terms of Sale:
 Property will be sold "AS IS"; no warranties will be provided.
 No survey will be provided.
 No title search/abstract of title will be provided.
 Quit Claim Deed or Bargain & Sale Deed only will be provided.
 Cash Sale; no financing available from seller.

At least 10% of the offered purchase price shall be submitted with the offer by cash or certified check made payable to the "Town of Cheektowaga". The balance of the purchase price shall be paid within 30 days of the acceptance of the offer by the Town.

On-site inspections may be made by contacting Richard Willis at (716) 683-4150.

Written offers shall be submitted to the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 in sealed envelopes marked "1277 Walden Avenue" on or before 11:00 A.M. on October 18, 1991.

The Town of Cheektowaga reserves the right to reject any and all offers.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
RICHARD M. MOLESKI
 Town Clerk
 Dated: October 7, 1991
PUBLISH: October 10, 1991

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) isClerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication.....October 10, 1991; last publication.....October 10, 1991; and that no more than six days intervened between publications.

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

Sworn to before me this10th.....

day ofOctober....., 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

NOTICE OF SALE
 TAKE NOTICE that the Town of Cheektowaga will accept offers for the purchase of real property located at 1277 Walden Avenue in the Town of Cheektowaga.
 Description of Property: Two-Family Dwelling
 Lot Size: 34 ft. frontage by 150 ft. depth
 Located on south side of Walden Ave., west of Harlem Rd.
 Terms of Sale: Property will be sold 'AS IS'; no warranties will be provided.
 No survey will be provided. No title search/abstract of title will be provided.
 Quit Claim Deed or Bargain & Sale Deed only will be provided.
 Cash Sale; no financing available from seller.
 At least 10% of the offered purchase price shall be submitted with the offer by cash or certified check made payable to the Town of Cheektowaga. The balance of the purchase price shall be paid within 30 days of the acceptance of the offer by the Town.
 On-site inspections may be made by contacting Richard Willis at (716) 683-4150.
 Written offers shall be submitted to the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 in sealed envelopes marked '1277 Walden Avenue' on or before 11:00 A.M. on October 18, 1991.
 The Town of Cheektowaga reserves the right to reject any and all offers.
 BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
 RICHARD M. MOLESKI
 Town Clerk
 Dated: October 7, 1991.

DANA GARLAND

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 10th day of October 1991

Dana Garland

Dates Ad Ran : 10/10

Sworn to before me this 11TH day
 of OCTOBER 19 91

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, 1994

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

WHEREAS, October 6-12, 1991 has been designated as National Fire Prevention Week, and

WHEREAS, it is the purpose of Fire Prevention Week to enhance the awareness of fire prevention techniques at home, in school, and in the work place, and to improve the public's understanding of the fire prevention facilities in the Town of Cheektowaga through the Volunteer Fire Districts, and

WHEREAS, programs are undertaken throughout the Town in schools and at fire companies to educate both students and property owners, and

WHEREAS, it is the Town Board's intention to support such an educational process in every way possible and to focus the public's attention on the programs available during Fire Prevention Week, NOW, THEREFORE, BE IT

RESOLVED, that October 6-12, 1991 be and hereby is proclaimed as Fire Prevention Week in the Town of Cheektowaga.

Upon Roll Call....

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

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

WHEREAS, the children of our community are entitled to the fun and excitement associated with "Halloween Night", including going from door to door in their immediate neighborhoods with their happy challenges of trick-or-treat, and

WHEREAS, it would appear that parents generally favor the early evening hours, since it tends to limit participation to the younger children, for whom the observance was originally intended and thereby discourages interference and disruption by the very small percentage of older children, who under cover of darkness and with their identities concealed and costumes, might otherwise spoil the fun for the smaller children, NOW, THEREFORE, BE IT

RESOLVED, that Thursday, October 31, 1991 shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick or treating" activities to the period between 6:00 P.M. and 8:30 P.M. We further ask that, whenever possible, parents of the very young ensure that they or other responsible adults accompany them, and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

Upon Roll Call....

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

Item No. 8 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Buffalo Airfield, Inc. is a domestic corporation with its offices and principal place of business at 4500 Clinton Street in the Town of West Seneca, New York; and

WHEREAS, Buffalo Airfield, Inc. operates, as a private owner, a public use airport at 4500 Clinton Street, West Seneca, New York; and part of which airport is situated in the Town of Cheektowaga, New York; and

WHEREAS, Buffalo Airfield, Inc. has undertaken a planning project to develop a master plan and airport layout plan in accordance with the provisions of the federal airport and airway improvement program of the federal aviation administration in FY-89; and

Item No. 8 continued

WHEREAS, the purpose of said project is the improvement of said airport; and

WHEREAS, the commissioner of transportation of the State of New York, pursuant to Transportation Law §14-h has entered into an agreement with Buffalo Airfield, Inc. to pay on behalf of New York State a share of the costs of said project; and

WHEREAS, it is a requirement of Transportation Law §14-h that Buffalo Airfield, Inc.'s application for such funding be accompanied by a Resolution of this Board formally endorsing the project for which the State aid is requested; and

WHEREAS, after due deliberation by this Board, we find that such project and the State aid to be paid towards its cost are of benefit to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga, New York, hereby formally endorses the FY-89 planning project by Buffalo Airfield, Inc.

Upon Roll Call....

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

Item No. 9a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 3251 Broadway, Cheektowaga, New York, SBL #102.04-3-33 and according to the the Assessor's Office is owned by Forks Castle East Incorporated, 3251 Broadway, Cheektowaga, New York 14227, AND

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

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

Upon Roll Call....

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

Item No. 9b Motion by Councilman Blachowski, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on vacant property located at 9 Cherrywood Drive, Cheektowaga, New York, SBL #114.20-11-24 and according to the Assessor's Office is owned by Piotrowski Builders Incorporated, 81 Rollingwood Lane, West Seneca, New York 14224, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds 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 by the Town and all costs incurred be assessed against the property hereinbefore described.

Item No. 9b continued

Upon Roll Call....

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

Item No. 9c Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 840 Dick Road, north corner of Chapel, Cheektowaga, New York, SBL #92.17-1-22 and according to the Assessor's Office is owned by Martin T. Palermo, , 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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9d Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 345 French Road, Cheektowaga, New York, SBL #125.09-13-2 and according to the Assessor's Office is owned by Ms. Shirley A. Such, 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 by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 9e Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 3816 Union Road, Cheektowaga, New York, SBL #102.08-10-3 and according to the Assessor's Office is owned by 3816 Union Road Incorporated, 3816 Union Road, Cheektowaga, New York 14225, AND

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

Item No. 9e continued

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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

Item No. 9f Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 4839 Union Road, Cheektowaga, New York, SBL #80.20-11-12 and according to the Assessor's Office is owned by Harvey Schiller and One, Snyder, New York 14226, AND

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

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

Upon Roll Call....

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

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

WHEREAS, the Transit Road ditch system which collects stormwaters from the highway pavement and runoff from abutting acreage, including flows from the Town of Lancaster, conveys storm water flows to a Town drainage system located south of Strasmer Road and running westerly as shown on the Town Official Drainage Systems Map C4, AND

WHEREAS, said Town drainage ditch system is in need of clearing and improvement in order to permit the free passage of stormwaters for the drainage of the highway and tributary acreage, AND

WHEREAS, pursuant to Section 147 of the Highway Law of the State of New York, the Town Superintendent of Highways may enter upon any lands adjacent to any of the highways in the Town for the purpose of opening an existing drainage ditch or drain for the free passage of water, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board agrees with the need to make the necessary drainage improvements under Section 147 of the Highway Law and as requested by the Highway Superintendent, AND, BE IT FURTHER

RESOLVED, that this Town Board hereby directs the Highway Superintendent, or his designated representative, to enter upon the private properties as necessary in order to affect the necessary drainage improvements.

Upon Roll Call....

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

Item No. 11 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.

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, 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>
Amy B. Timm	Cheektowaga, N.Y. 14225 Blasdell, N.Y.)	Town's	12/31/92

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

WHEREAS, the Town wishes to dispose of a number of surplus motor vehicles no longer needed for Town use, and

WHEREAS, sale of surplus property by the Town is authorized by Section 64 of the Town Law of the State of New York, and

WHEREAS, Buffalo Thruway Auto Auction, Inc., will sell such motor vehicles at a public auction in accordance with its letter dated October 1, 1991, a copy of which is attached hereto, NOW, THEREFORE, BE IT

RESOLVED, that the Town hereby retains Buffalo Thruway Auto Auction, Inc., 2727 Broadway, Cheektowaga, New York as per the attached proposal, to conduct a sale of the surplus Town vehicles identified on the attached list a public sale to the highest responsible bidder at a date to be determined later, and BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute any and all documents that may be required to effectuate the sale and transfer of all said vehicles.

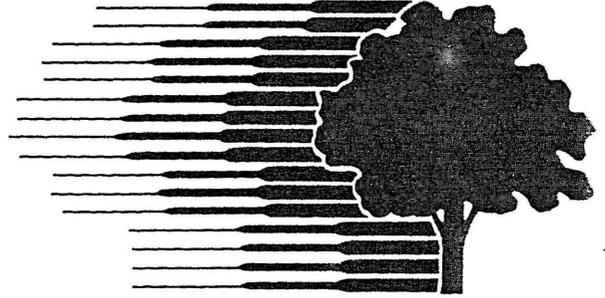
Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Central Garage
Richard J. Koszuta
General Foreman

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

CENTRAL GARAGE AUCTION VEHICLES 1991

	VEHICLES #	MAKE	MODEL	SERIAL #	YEAR	MILEAGE
1.	80	Dodge	Diplomat	1B3BG264XFX630927	1985	92322
2.	7	Dodge	Diplomat	1B3BG26SOJW159514	1988	113,868
3.	8	Dodge	Diplomat	1B3XM26S7KW321848	1989	116,939
4.	1	Dodge	Diplomat	1B3XM26S2KW321837	1989	129,526
5.	3	Dodge	Diplomat	1B3XM26S5KW321847	1989	113,904
6.	19-A	Pontiac	2DR	2H37W92503640	1979	58895
7.	22	Dodge	P/U Custom 200	D24JEAS162149	1980	127,006
	26	Brockway	Sanivan	N55OLL90770	1977	-----
				No Engine or Drive Train, Stripped of Many Parts.		

Auction List

1. 1984 Dodge 3/4 ton pickup
VIN. 1B7HD24H6ES245819
Model: Ram 250
Highway vehicle # 31
Engine: Dodge 225 Cu. In. Slant 6
Transmission: 3 Speed Automatic, Needs Rebuilding
Mileage: 83,968

2. 1977 Ford 1 ton dump truck
VIN. F37HCY52785
Model: F-350 Custom
Highway vehicle # 58
Engine: Ford 351 Cu. In. Modified, Doesn't Run
Transmission: 4 Speed Manual
Mileage: 112,462

Buffalo Thruway
 **Auto Auction, Inc.**

(716) 892-2111

2727 BROADWAY
P.O. BOX 25
BUFFALO, NEW YORK 14225

OCTOBER 1, 1991

Dear Sirs:

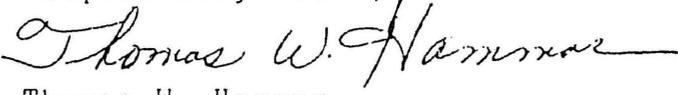
The Buffalo Thruway Auto Auction is located at 2727 Broadway, about one mile west of the Cheektowaga Town Garage. We conduct an Auto Auction every Tuesday which attracts about five hundred qualified buyers. We are prepared to sell any vehicles the Town of Cheektowaga has, and will provide the following: a secured fenced in lot to display the vehicles, all advertising, both in local papers and by way of slingers which are sent to all of our qualified buyers, an auctioneer, all necessary paperwork. These vehicles will be offered at an auction which is open to the public. We will be able to provide all of the above for the cost to the Town, of Twenty Five dollars (\$25.00) per vehicle sold. Our past record should indicate to the Town we are able to sell these vehicles with the highest return to the Town.

The following is a list of what we have to offer:

1. The location is approximately 1 mile, which in labor cost of moving is very important.
2. We send out mailers to over 2,000 Dealers in Western New York, Northern Pennsylvania, announcing your sale.
3. We have approximately 500 people on Auction Day.
4. We have a fenced in secured yard, to display vehicles and equipment.
5. Professional auctioneer that specializes in weekly selling.
6. Advertising in the local paper as well as the Buffalo News.
7. Security guard the day of the sale.
8. Full time office staff to answer any questions for buyers before the sale.

Gentlemen, to run this sale if you did not have my facilities you would have a net cost of approximately, \$2,000.00, which is more than I am charging the Town.

Respectfully Yours,


Thomas W. Hammar

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

WHEREAS, Moffett Heating Corp. has submitted Application #6 for Final Payment for Air Conditioning work at the Senior Citizens Center, AND

WHEREAS, Moffett Heating Corp. has submitted Certification of Compliance with N.Y.S. Labor Law Section 220-a, Statement that asbestos was not encountered on the project, Contractor's Affidavit of Release of Liens, Contractor's Affidavit of Payment of Debts and Claims and Certificate of Substantial Completion specifying September 4, 1991 as the starting date for all warranties, AND

WHEREAS, Babinsky-Klein Engineering, P.C. has reviewed and approved all documents submitted by Moffett Heating Corp., NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Final Payment #6 in the amount of \$7,163.00 for Air Conditioning Work at the Senior Citizens Center to Moffett Heating Corp., 26 Abbott Road, Buffalo, New York 14220.

Upon Roll Call....

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

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

WHEREAS, Dobkins & Gold Electric has submitted application for Final Payment for Electrical Work associated with Air Conditioning Improvements at the Senior Citizens Center, AND

WHEREAS, Babinsky-Klein Engineering, P.C. has received and approved Dobkins & Gold Electric, Contractor's Affidavit of Payment of Debts & Claims, Contractor's Affidavit of Release of Liens, Payment of Wages and Statement that no asbestos containing materials were utilized on the project, and Certificate of Substantial Completion, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves final payment to Dobkins & Gold Electric, P.O. Box 748, Buffalo, New York 14240 in the amount of \$363.00 for Electrical Work associated with Air Conditioning Improvements at the Senior Citizens Center, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5008-1625-1100.

Upon Roll Call....

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

Item No. 14 Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, Losson Park Village, Inc., the developer of the Losson Park Village Subdivision, Phases I and II, desposited funds in the amount of \$2,500 in an escrow account with the Town to guarantee the cleaning of storm sewers within said subdivision, and

WHEREAS, the Town Superintendent of Highways has stated that the necessary storm sewer cleaning work in this subdivision has been satisfactorily completed and has recommended that escrow moneys held by the Town for same be returned to Losson Park Village, Inc., NOW, THEREFORE, BE IT

RESOLVED, that escrow funds in the amount of \$2,500 be released to Losson Park Village, Inc. from Account No. 0600-0830.

Item No. 14 continued

Upon Roll Call....

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

MOTION BY COUNCILMAN ROGOWSKI, SECONDED BY SUPERVISOR SWIATEK
TO DISPENSE WITH READING OF THE NAMES IN ITEM NO. 15a AND THE
VOTING WAS AS FOLLOWS:

Item No. 15a Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

BE IT RESOLVED, that the following seasonal and/or part-time
employees be and hereby are terminated as listed:

EFFECTIVE

SANITATION DEPARTMENT

John DeStefano	10/18/91
Ronald Fenske, Jr.	Immediately
James Kazmierczak	"
James Lanza	"
Ronald Kurowski	"
David Klosko	10/18/91

SEWER DEPARTMENT

Aaron Vanderlip	Immediately
Dennis Mrugalski	"
Shawn Surdej	"
Steven Golovin	"
Alex Nexteruk	"
Stephen Fialkowski	"

TOWN CLERK'S OFFICE

Lou Ann Aepelbacher	Immediately
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FACILITIES

Dennis Piekarski	9/30/91
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Upon Roll Call....

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

Item No. 15b Motion by Supervisor Swiatek, Seconded by Councilman Rogowski

WHEREAS, Lisa Strozyk was previously hired by resolution to fill the
position of Junior Accountant, AND

WHEREAS, Lisa Strozyk's qualifications have been reviewed by Erie
County Personnel and they have determined that Mrs. Strozyk does not meet the mini-
mum Civil Service qualifications for this title, NOW, THEREFORE, BE IT

RESOLVED, that, effective immediately, the employment of Lisa Strozyk
is hereby terminated.

Item No. 15b continued

Upon Roll Call....

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

Item No. 15c Motion by Supervisor Swiatek, Seconded by Councilman Rogowski

WHEREAS, the Town's part-time Disaster Coordinator, Earl Loder, has recently become a retiree from his full-time employer in the New York State Retirement System, AND

WHEREAS, the New York State Retirement System allows retirees to work part-time for another municipal employer, but they cannot make over \$9,360 annually, without penalty, NOW, THEREFORE, BE IT

RESOLVED, that, at the employee's request, Mr. Earl Loder of Cheektowaga, New York 14225, be terminated as of September 16, 1991 and immediately rehired with his salary reduced from \$12,127.26 to \$9,360, with the inclusion of single coverage of medical benefits only; the total obligation to the Town shall not exceed \$12,127.26 annually, AND, BE IT FURTHER

RESOLVED, that medical benefits, at the Town's expense will not be extended to the employee if he subsequently separates from employment with the Town of Cheektowaga.

Upon Roll Call....

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

Item No. 16a Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, in order to comply with the records of the Erie County Department of Personnel, the Town needs to create two (2) positions of Detective in the Police Department, NOW, THEREFORE, BE IT

RESOLVED, that two (2) positions of Detective in the Police Department be and hereby are created.

Upon Roll Call....

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

Item No. 16b Motion by Councilman Gabryszak, Seconded by Councilman Blachowski

WHEREAS, the Department of Youth & Recreation has received money to establish a coordinating position, AND

WHEREAS, this Town Board is hereby interested in creating the position of Program Coordinator in the Youth & Recreation Department, pending jurisdictional classification by the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED, that the position of Program Coordinator in the Youth & Recreation Department be and hereby is created.

Upon Roll Call....

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

Item No. 17a Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, a permanent vacancy exists in the position of Lieutenant in the Police Department, AND

WHEREAS, candidates from the existing Civil Service list were interviewed and their resumes and work performance were studied, AND

WHEREAS, the Chief of Police and his screening committee recommend that Sergeant Charles Shields, Jr., be promoted to the position of Lieutenant, NOW, THEREFORE, BE IT

RESOLVED, that Charles Shields, Jr., be and hereby is appointed to the position of Lieutenant in the Police Department effective immediately.

Upon Roll Call....

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

Item No. 17b Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, a vacancy exists in the position of Detective in the Police Department, AND

WHEREAS, the Chief of Police and his screening committee recommend that Patrolman Mark Jedd be appointed to the position of Detective, NOW, THEREFORE, BE IT

RESOLVED, that Mark Jedd be and hereby is appointed to the position of Detective in the Police Department, effective immediately.

Upon Roll Call....

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

Item No. 17c Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, due to a promotion, a permanent vacancy exists in the position of Sergeant in the Police Department, AND

WHEREAS, candidates from the existing Civil Service list were interviewed and their resumes and work performance were studied, AND

WHEREAS, the Chief of Police and his screening committee recommend that Patrolman James Speyer be promoted to the position of Sergeant, NOW, THEREFORE, BE IT

RESOLVED, that James Speyer be and hereby is appointed to the position of Sergeant in the Police Department, effective immediately.

Upon Roll Call....

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

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

WHEREAS, there currently exists a temporary vacancy in the position of Clerk in the Accounting/Payroll Department, AND

Item No. 17d continued

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

WHEREAS, Suzanne Ozolins, currently employed as a part-time employee in the Accounting/Payroll Department, bid on said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Suzanne Ozolins of Depew, New York 14043, be and hereby is appointed as a temporary Clerk in the Accounting/Payroll Department at a salary as set forth in the agreement between the Town and the Town of Cheektowaga Employees Association, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective immediately and shall not exceed a period of ninety (90) days.

Upon Roll Call....

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

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

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 (Laborer)

Daniel Majcurycki
Leonard Wesolowski

Immediately
"

Upon Roll Call....

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

Item No. 18b Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

BE IT RESOLVED that the following individuals be hired as part-time employees, retroactive to September 23rd, at the designated titles and salaries:

INSTRUCTOR (FIGURE SKATING) - A7140.1611 - \$10.00 per hour

Lisa Dick

14227

RECREATION SUPERVISOR III - A7140.1611 - \$5.50 per hour

Michelle Nowak

14225

BE IT RESOLVED that the following individuals be hired as part-time employees, retroactive to October 2nd, at the designated titles and salaries:

RECREATION ATTENDANT (RINK GUARDS) - A7140.1611 - \$4.25 per hour

Lawrence Godzich
Erica Staszak
George Burroughs

14211
14225
14227

Item No. 18b continued

BE IT RESOLVED that the following individuals be hired as part-time employees, effective immediately, at the designated titles and salaries:

RECREATION ATTENDANT - A7140.1615 - \$4.25 per hour

Craig Cwiklinski	14206
Jason Cwiklinski	14206
Jason Dauscher	14206
Jason Kenjockety	14206
Mark Ostempowski	14206
Jeffrey Rogowski	14212
Greg Wazny	14227
Jeffrey Wheeler	14206

RECREATION ATTENDANT - A7140.1612 - \$4.25 per hour

Joanne Haas	14225
Leanne Ventura	14225

RECREATION SUPERVISOR III - A7140.1612 - \$5.50 per hour

Mary Lou Czajka	14225
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RECREATION ATTENDANT III (THEATRE ASSISTANTS) - A7140.1612 - \$4.25 per hour

Joanne Haas	14225
Leanne Ventura	14225

BE IT RESOLVED that the following individuals be transferred from the Administrative Intern Program (A7310.1804) to Recreation Supervisor II (A7140.1612) at the hourly rate of \$6.00 per hour:

Jason Backes	14043
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BE IT RESOLVED that the following individual(s) be terminated from the Youth and Recreational Services Department, effective immediately:

FIGURE SKATING INSTRUCTOR - A7140.1611 - \$10.00 per hour

Mary Sue Lesniak	14225
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ADAPTED RECREATION PROGRAM - COUNSELOR II - A7130.1803 - \$4.50 per hour

Kim McGuire	14043
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Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 18c Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

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:

EFFECTIVE

POLICE DEPARTMENT - \$5.00 per hour (Clerical)

Patricia J. Hyzy	Immediately
Gail Burget	"

Item No. 18c continued

Upon Roll Call....

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

Item No. 18d Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

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, Christine Lanza has applied and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Christine M. Lanza 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 immediately and the starting salary is to be \$23,100 annually.

Upon Roll Call....

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

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

WHEREAS, the New York State Office of Fire Prevention and Control will be conducting a "Fire Marshals and Inspectors Seminar" in Montour Falls, New York, On October 15-17, 1991 AND

WHEREAS, Matthew D. Kawczynski and Edward J. Saternus, Fire Inspectors for the Town of Cheektowaga, have requested permission to attend such seminar, AND

WHEREAS, such seminar will provide the Town's Fire Inspectors with up-to-date information and legislation on fire prevention and control and satisfies a State of New York requirement for "in-service" training, NOW, THEREFORE, BE IT

RESOLVED, that Matthew D. Kawczynski and Edward J. Saternus be and hereby are authorized to attend the "Fire Marshals and Inspectors Seminar" on October 15-17, 1991 and BE IT FURTHER

RESOLVED, that the Town pay Mr. Kawczynski's and Mr. Saternus's registration fee of \$20.00 each; lodging costs of \$75.00 each and travel costs not to exceed \$90.00 for both in attending such seminar, and such expenses be charged to account number 0800-3620-4088.

Upon Roll Call....

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

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

WHEREAS, Robert Sprada, Working Foreman in the Highway Department, has requested a one (1) year leave of absence from his position, AND

WHEREAS, Robert Sprada has made this request as a result of his appointment as Deputy Highway Superintendent in the Highway Department, NOW, THEREFORE, BE IT

RESOLVED, that, as per Section 11.01 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, this leave of absence is hereby granted to Robert Sprada, effective October 1, 1991.

Upon Roll Call....

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

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

WHEREAS, Josephine Ratajczak, Cleaner in the Facilities Department, has requested an unpaid leave of absence, due to personal reasons, from Friday, October 4, 1991 through Tuesday, October 11, 1991, AND

WHEREAS, Mrs. Ratajczak has received approval from her department head, James Matecki, NOW, THEREFORE, BE IT

RESOLVED, that Josephine Ratajczak be and hereby is granted an unpaid leave of absence from Friday, October 4, 1991 thru Friday, October 11, 1991.

Upon Roll Call....

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

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY SUPERVISOR SWIATEK TO DISPENSE WITH READING THE FIGURES IN ITEM NO. 21 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, 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 fund transfers are hereby approved and made a part hereof:

GENERAL FUND

From:	0100-1110-1391	Part Time Clerk-Justice	\$ 265.00
	0100-7310-4687	Child & Family Services - Y & Rec.	1,132.00
	0100-7310-1802	Dev. Disabled Day Camp - Y & Rec.	8,992.68
	0100-7180-1902	Supervisor-Beach & Pool - Y & Rec.	3,648.86
	0100-7180-4612	Pool Transportation - Y & Rec.	42.20
	0100-7140-1614	Recreation Attendants - Y & Rec.	4,800.00

Item No. 21 continued

	0100-7140-1621	Umpire & Referees - Y & Rec.	2,500.00
	0100-7140-1613	Recreation Supervisors - Y & Rec.	6,514.86
	0100-7310-4689	Youth Conservation Corp. Y & Rec.	1,750.00
	0100-7310-4689	Youth Conservation Corp. Y & Rec.	1,500.00
	0100-7310-4689	Youth Conservation Corp. Y & Rec.	1,250.00
	0100-7180-4026	First Aid Supplies-Pool - Y & Rec.	500.00
	0100-7180-4612	Transportation-Pool - Y & Rec.	548.80
	0100-1910-4711	Contingency Fund	3,325.00
	0100-1910-4711	Contingency Fund	5,000.00
	0100-9010-8111	Police Retirement	5,975.00
	0100-1910-4711	Contingency Fund	750.00
	0100-9010-8111	Police Retirement	256,432.00
	0100-9010-8101	Employee Retirement	8,605.00
	0100-3120-1541	Patrolman - Police	6,000.00
	0100-1910-4711	Contingency Fund	12,000.00
	0100-1910-4711	Contingency Fund	1,000.00
To:	0100-3120-1374	Clerk Typist - Police	6,000.00
	0100-5010-1171	Deputy Superintendent - Highway	8,605.00
	0100-5010-1171	Deputy Superintendent - Highway	12,000.00
	0100-3120-1551	Sergeants - Police	17,068.00
	0100-3120-1531	Detectives - Police	49,733.00
	0100-3120-1541	Patrolmen - Police	189,631.00
	0100-1355-4575	Contracted Appraisals - Assessors	750.00
	0100-3120-1376	Senior Clerk- Police	5,975.00
	0100-1220-1371	Clerk - Accounting	5,000.00
	0100-1410-4001	Office Supplies - Town Clerk	3,325.00
	0100-7310-4001	Office Supplies - Y & Rec.	1,750.00
	0100-7310-4201	Telephone - Y & Rec.	1,500.00
	0100-7140-4191	Miscellaneous - Y & Rec.	1,250.00
	0100-7180-4074	Clothing-Pool - Y & Rec.	500.00
	0100-7180-4074	Clothing-Pool - Y & Rec.	548.80
	0100-7140-4191	Miscellaneous - Y & Rec.	1,132.00
	0100-7310-1803	Adapted Rec. Program - Y & Rec.	8,992.68
	0100-7140-4491	Special Events - Y & Rec.	3,648.86
	0100-7180-4074	Pool Clothing - Y & Rec.	42.20
	0100-7140-4149	Miscellaneous - Y & Rec.	4,800.00
	0100-7140-4491	Special Events - Y & Rec.	2,500.00
	0100-7140-1611	Rink Personnel - Y & Rec.	6,514.86
	0100-1110-1351	Senior Clerk - Justices	265.00
	0100-1110-4001	Office Supplies - Justice	1,000.00

TRUST & AGENCY

From:	0600-0881-	Asset Forfeiture - Police	1,806.00
To:	0100-3120-2625	General Fund Reserves	1,806.00

SPECIAL DISTRICTS

From:	2300-8123-4353	Erie Co. S.D. #4	5,195.00
	1500-8173-4071	Recycling Uniforms	3,000.00
	1500-8160-4071	Uniform Replacement	3,000.00
To:	1500-8160-4453	Building Repairs - Sanitation	6,000.00
	2300-8123-4706	Real Property Taxes	5,195.00

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to October 4, 1991 are hereby approved and made a part hereof:

GENERAL FUND	\$ 404,564.41
HIGHWAY FUND	70,908.62
TRUST AND AGENCY	24,942.10
CDGB HUD FUND	27,152.02
PART TOWN FUND	4,862.42
RISK RETENTION FUND	7,693.95
STATE AHC FUND	862.80
HUD REHABILITATION FUND	4,795.00
SPECIAL DISTRICTS	537,125.40
CAPITAL FUND	247,082.86
	<u>\$1,329,989.58</u>
	=====

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATION

Item No. 23 Building Permits
Received and Filed.

Item No. 24 Minutes of Traffic Safety Commission Meeting - September 17, 1991
Received and Filed.

Item No. 25a Supervisor's Statement of Funds - March, 1991
Received and Filed.

Item No. 25b Supervisor's Statement of Funds - April, 1991
Received and Filed.

Item No. 26 Report of Deloitte & Touche Regarding Federal Financial Assistance
for the Year Ended December 31, 1990
Received and Filed.

IV. GENERAL COMMUNICATION

Item No. 27 Notice of Petition: Property Developer, Inc., vs the Town Board of
the Town of Cheektowaga
Copies were sent to: Town Board, Supervisor and the Town Attorney.
Received and Filed.

Item No. 28 Summons & Complaint: Jeffrey E. Herkey vs Gerald F. Jankowski, John
P. Huntz, the Town of Cheektowaga and Bruce Chamberlin
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: Frank Senker vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29b Notice of Claim: Mary Kovacs vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department; Sewer Maintenance Department and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 29c Notice of Claim: Martha Trafalski vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29d Notice of Claim: Robert P. Allison vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Sylvia Slawiak, Accounting Department; Highway
Department and Allied Claims Insurance Carrier.
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN ROGOWSKI
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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

V. SUSPENSION OF RULES

Item No. 30a Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, the New York State Department of Transportation proposes the
reconstruction of the Transit Road Bridge over Slate Bottom Creek, S.H. 9217, in the
Town of Cheektowaga under P.I.N. 5209.27, AND

WHEREAS, the State will include as part of the reconstruction of the
above mentioned project, the readjustment of the Town Water District No. 9 six inch
water main located in the State right-of-way pursuant to Subdivision 24 of Section
10 of the State Highway Law, AND

WHEREAS, the service life of the relocated and/or replaced utilities
has not been extended, AND

WHEREAS, the State will provide for the reconstruction of the above
mentioned work, as shown on the contract plans relating to the project, NOW,
THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga approves of the replacement
and/or reconstruction of such existing water main and the above mentioned work per-
formed on the project and shown on the contract plans relating to the project, and
that the Town of Cheektowaga will maintain or cause to be maintained the
constructed/reconstructed water main, as above stated and as shown on the contract
plans, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is
directed and authorized to sign the required State Utility Work Agreement Form
HC140, AND, BE IT FURTHER

Item No. 30a continued

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution and five (5) copies of Form HC140 to the New York State Department of Transportation, care of Mr. Robert J. Russell, Regional Director.

Upon Roll Call....

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

Item No. 30b Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

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

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA PUBLIC SAFETY DISPATCHERS ASSOCIATION

It is hereby agreed that the 1989-1991 collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association be amended as follows:

1.) The following new section is to be added under Article 3 and will henceforth be known as Section 3.05, Job Security.

SECTION 3.05 - JOB SECURITY. The Town agrees that the number of permanent employees covered by this agreement will not decrease below sixteen (16) full-time Public Safety Dispatchers.

2.) The following new section is to be added under Article 5 and will henceforth be known as Section 5.03, Part-Time Employees.

SECTION 5.03 - PART TIME EMPLOYEES. Part-time workers are defined as employees who are hired to work year-round on a regular basis, but are limited to nineteen (19) hours per week. Part-time employees shall not be entitled to any benefits provided by this agreement.

3.) Section 5.03, Work Schedules, current language is deleted, replaced and renumbered as:

SECTION 5.04 - WORK SCHEDULES FOR FULL-TIME EMPLOYEES

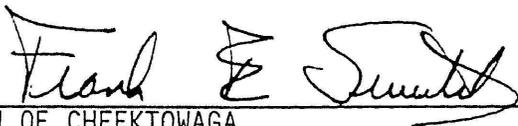
(a.) Normally, there shall be three (3) work shifts, with starting times of 7:30 a.m., 3:30 p.m., and 11:30 p.m. The Town agrees to make straight shifts available to no less than fifteen (15) full-time permanent employees.

(b.) Any full-time employees not assigned to a straight shift will be scheduled to work shifts in such a manner as to reflect as much consistency as possible, such as three (3) shifts of days and two (2) shifts of afternoons. Normally, off-duty days will be consecutively scheduled.

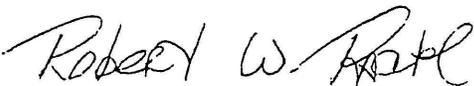
(c.) Shift selections shall be on the basis of seniority, as hereinafter defined.

(d.) Normally, no less than two (2) full-time employees will be scheduled per shift.

4.) Section 5.04, Work Records, is now to be renumbered and will henceforth be known as Section 5.05, Work Records.



TOWN OF CHEEKTOWAGA



TOWN OF CHEEKTOWAGA PUBLIC SAFETY
DISPATCHERS ASSOCIATION

Dated:

js

Item No. 30c Motion by Councilman Jaworowicz, Seconded by Supervisor Swiatek

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

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

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

RESOLVED, that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1991 and terminates December 31, 1991 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute five (5) copies of the attached Agreement and any and all other papers necessary to implement the terms of this Agreement.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

THIS AGREEMENT, made and entered into as of the 1st day of January, 1991, by and between the COUNTY OF ERIE, a municipal corporation of the State of New York, with offices at 95 Franklin Street, Buffalo, New York, 14202 hereinafter referred to as the COUNTY, party of the first part, and the TOWN/VILLAGE OF CHEEKTOWAGA, a municipal corporation of the State of New York in Erie County, with offices at Broadway & Union, Cheektowaga, New York 14227, hereinafter referred to as the MUNICIPALITY, party of the second part.

W I T N E S S E T H:

WHEREAS, the COUNTY, pursuant to the authority granted to it by Article 31 of the Vehicle and Traffic Law, has established a special traffic options program for driving while intoxicated (STOP-DWI) and has formulated a plan thereunder for the coordination of county, town, city and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the MUNICIPALITY, through its police agency, has made formal application to the Erie County STOP-DWI Coordinator for the funding of certain alcohol traffic safety law enforcement activities in Erie County during the period from January 1, 1991 to December 31, 1991, which application is attached hereto and made a part hereof as Appendix "A", and

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

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

FIRST: The term of this Agreement shall be the COUN' fiscal year commencing January 1, 1991 and ending December 31, The said term shall be divided into the following quarterly pe:

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

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

THIRD:

A. For purposes of this paragraph:

- (i) "DWI case" shall mean a criminal action commenced in any court within Erie County wherein a person is charged with a violation of Section 1192, Section 511(2)(a)(i) and (iii), Section 511(2)(a)(i) and (iv) or Section 511(3) of the Vehicle and Traffic Law;

County wherein a person is charged with a violation, or multiple violations involving the same person and arising out of the same incident, of Section 1192, Section 511(2)(a)(i) and (iii), Section 511(2)(a)(i) and (iv) or Section 511(3) of the Vehicle and Traffic Law;

- (ii) "finally disposed of" and "final disposition" shall mean the termination of a DWI case at the trial court level by reason of a dismissal, acquittal or conviction and imposition of sentence by the trial court, but shall not include the removal or transfer of a DWI case to another court.

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

C. The MUNICIPALITY agrees that the COUNTY, on behalf of the MUNICIPALITY, shall allocate and pay out, from the sums payable

quarterly to the MUNICIPALITY under paragraph THIRD (B) hereof, the sum of TEN DOLLARS (\$10.00) for each DWI case commenced by the MUNICIPALITY's police agency which was finally disposed of during the corresponding quarterly period. The said sum shall be paid by the COUNTY to the town or village in whose Justice Court the DWI case was finally disposed of and shall be payable regardless of the final disposition thereof.

FIFTH:

A. The MUNICIPALITY, through its police agency, agrees to compile information and render monthly reports to the Erie County STOP-DWI Coordinator with respect to:

- (i) the MUNICIPALITY's actual expenses in carrying out the alcohol traffic safety law enforcement activities set forth in Appendix "A". A sample copy of the STOP-DWI Monthly Fiscal Cost Report form is annexed hereto as Appendix "B";
- (ii) all alcohol-related traffic accidents investigated by the MUNICIPALITY's police agency (including copies of MV-104A forms prepared in connection therewith). A sample copy of the STOP-DWI Monthly Accident Report form is annexed hereto as Appendix "C"; and

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

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

C. The MUNICIPALITY acknowledges that the determination by the COUNTY of the amounts payable to the MUNICIPALITY under paragraph THIRD and FOURTH of this Agreement is dependent upon the timely receipt by the Erie County STOP-DWI Coordinator of accurate information from the MUNICIPALITY. Accordingly, the MUNICIPALITY agrees that, as a condition precedent to its rights to payment under this Agreement, it shall fully complete and forward to the Erie County STOP-DWI Coordinator each of the monthly reports required

under this paragraph (Appendices "B", "C", "D" and "E"; together with MV-104A copies) within 15 days after the last day of each monthly period to which such reports relate.

SIXTH: This Agreement is executory only to the extent of moneys available to the COUNTY for the performance hereof and appropriated therefor, being moneys in a separate account entitled "Special Traffic Options Program for Driving While Intoxicated" established and funded pursuant to Sections 1197 and 1803 of the Vehicle and Traffic Law, and the COUNTY shall incur no liability on account of this Agreement beyond such moneys.

SEVENTH: In the event the Erie County STOP-DWI Program, as approved by the Commissioner of the New York State Department of Motor Vehicles, is terminated before the COUNTY has paid to the MUNICIPALITY all of the sums otherwise payable under the terms of this Agreement, the provisions of Section 1197(9) of the Vehicle and Traffic Law shall govern for purposes of determining the availability of such sums for payment to the MUNICIPALITY.

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

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

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

ELEVENTH: The MUNICIPALITY agrees to furnish verified accounts of its disbursements hereunder, with certified or verified invoices thereto attached at such times and in such form and detail as may be required by the Erie County Comptroller, who may at her option audit the pertinent books and records of the MUNICIPALITY, and a final account within thirty (30) days after the termination of this Agreement.

TWELFTH: The MUNICIPALITY agrees to defend, hold harmless and indemnify the COUNTY against any and all liability, claims, demands, suits and judgments arising out of the performance of the MUNICIPALITY's obligations under this Agreement. The MUNICIPALITY further agrees to maintain insurance coverage during the term of this Agreement and to submit certificates of insurance in accordance with Vendor Classification C - "Professional Services", on Appendix "F" annexed hereto. For purposes of this Agreement, the MUNICIPALITY need not provide proof of professional liability insurance coverage. At the request of the MUNICIPALITY and with the advice of the Erie County Attorney, the Erie County STOP-DWI Coordinator may waive the excess and/or umbrella liability insurance coverage(s), or

reduce the amount(s) thereof, otherwise required under this paragraph in lieu of proof of insurance coverage, the MUNICIPALITY may furnish evidence of a self-insurance plan acceptable to the Erie County Attorney.

THIRTEENTH: Consistent with the MUNICIPALITY's status as an independent contractor, the COUNTY shall not be responsible for Worker's Compensation benefits, Social Security coverage or unemployment insurance benefits with respect to the MUNICIPALITY.

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

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

This Agreement is executed by the COUNTY pursuant to a resolution adopted by the Legislature of the County of Erie at its meeting held on December 20, 1990, and by the MUNICIPALITY pursuant to a resolution of its governing body adopted at a meeting of said governing body held on October 7, 1991, of the MUNICIPALITY's resolution being annexed hereto as Appendix "G".

TOWN/VILLAGE Cheektowaga

COUNTY OF ERIE

By: Frank E. Swiatek
(Name) Frank E. Swiatek
(Title) Supervisor

By: Dennis T. Gorski
DENNIS T. GORSKI
Erie County Executive

APPROVED AS TO CONTENT

Maria Martens
MARIA MARTENS
Erie County STOP-DWI Coordinator

APPROVED AS TO FORM

James L. Tuppen
JAMES L. TUPPEN
Assistant County Attorney
Document No.: 91-1346-EX
Date: 12/11/91

ACKNOWLEDGMENTS

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:
CITY OF BUFFALO)

On this 18th day of October, 1991, before me personally came DENNIS T. GORSKI, to me personally known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga, County of Erie and State of New York; that he is the County Executive of the COUNTY OF ERIE, the corporation described in, and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and was so affixed by order of the Erie County Legislature and that he signed his name thereto by like order.

CAROLA SIWEK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires January 31, 1994

Carola Siwek
NOTARY PUBLIC

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On this 10th day of October, 1991, before me personally came Frank E. Swiatek, to me personally known, who, being by me duly sworn, did depose and say that he/she resides in the Town/Village of Cheektowaga, County of Erie and State of New York; that he/she is the Supervisor of the Town/Village of Cheektowaga, the corporation described in, and which executed the within instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and was so affixed by order of the governing body thereof and that he/she signed his/her name thereto by like order.

Kevin G. Schenk
NOTARY PUBLIC

KEVIN G. SCHENK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 28, 1993

Special Traffic Options Program
for Driving While Intoxicated
S.T.O.P.-DWI

County of Erie
S.T.O.P.-DWI
FORM SD-1

PART I (To be completed by applicant)

1. Project Title
STOP DWI 1991

Project Number (Entered by Erie County)

2. Project Description
(See Part II)

3. Type of Application
Initial
Revision
 Continuation

5. Program Area
(Select one only)
 Law Enforcement
Adjudication
 Education
Rehabilitation
Prosecution
Probation
Public Informatic

4. Date of Application:

6. Applicant Agency (Name & Address)

Town of Cheektowaga
Police Dept.
3223 Union Rd.
Cheektowaga, NY 14227

7. Governmental Unit

Township
City
Village
Department
Non-profit Agency
Other _____

8. Project Coordinator

(Name, Title, Address, Telephone No.)

Bruce D. Chamberlin
Chief of Police
3223 Union Rd.
Cheektowaga, NY 14227
(716) 686-3500

9. Total Cost

of Project to:
STOP-DWI Program

\$229,476.53

9. Fiscal Agent (Name, Title & Address of official authorized under law to receive payment of STOP-DWI funds on behalf of applicant agency/jurisdiction).

Frank E. Swiatek
Town Supervisor
Broadway & Union Rd., Cheektowaga, NY 14227

10. AUTHORIZING SIGNATURES

A. Project Coordinator	Title	Signature
Bruce D. Chamberlin,	Chief of Police	
B. For Governmental Unit or Agency	Title	Signature
Frank E. Swiatek,	Town Supervisor	

ERIE COUNTY
S.T.O.P. - DWI
ENFORCEMENT

TOWN OF CHEEKTOWAGA POLICE DEPARTMENT - PROGRAM OUTLINE

I. Problem Identification and Analysis:

A. Statistics, Town of Cheektowaga, 1990:

1. Total number of motor vehicle accidents: 1,417. This represents a decrease of 18.71% compared to 1989.
2. Total number of DWI Arrests: 505. This represents an increase of 15 arrests or 3% compared to DWI arrests in 1989.
3. Total number of motor vehicle accidents where a DWI arrest was made: 143.
4. Total number of VTL arrests: 8128. This was an increase of 5% compared to 1989.
5. Percentage of accidents where DWI arrest was made: 10%.
6. Percentage of Total DWI arrests where accident was involved: 28%.
7. The above statistics represent the reported accidents only. They do not account for accidents which were not reported to the police. Nor do they show the number of intoxicated and alcohol impaired drivers that went undetected at accidents which were not reported or which were reported late.

B. Identification of Problem:

1. The percentage of DWI involved accidents in the Town of Cheektowaga is relatively small (10% of the total number of accidents).
2. The percentage of the total number of DWI arrests where an accident was involved is also relatively small (28% of the total number of DWI arrests). However, a large portion of the remaining 70% of arrests may have been responsible for preventing many accidents.

3. A substantial amount of the total DWI arrests made in 1990 were made as the result of accident investigations by Police Officers in the Town of Cheektowaga.
4. A large portion of the accident related, as well as the non-accident related DWI arrests were coupled with other VTL violations, such as speed, failure to yield right of way, traffic control disregard, etc.
5. Total number of VTL arrests increased while the total number of accidents decreased.
6. Total number of DWI arrests increased.

C. Analysis:

1. Although the above percentages, 10% and 28%, may seem like small percentages, they still are unacceptable due to the fact that they represent injuries and damage to property that would not have occurred without the involvement of the alcohol impaired driver.
2. Increased selective enforcement of the Vehicle and Traffic Law helps to lower the number of accidents.
3. The investigation of accidents is an essential part of identification and removal of alcohol impaired drivers from the highway.
4. Increased training of Officers in identification and handling of alcohol impaired/intoxicated drivers increases the number of arrests which are made at accident scenes and at other instances of officer/violator contact.
5. Although increased selective enforcement has a positive effect on reducing the number of accidents in the short term, a combination of selective enforcement and education tends to have a longer lasting effect.

II. Program Description:

A. Goals and Objectives:

1. To reduce the number of accident involved DWIs in the Town of Cheektowaga by 5%.
2. To increase the number of DWI arrests by 10%.
3. To decrease the number of accidents in the Town of Cheektowaga by 10%.

B. Program details:

1. Assign one Traffic Officer to a DWI Patrol. The purpose of this DWI Patrol will be to apprehend intoxicated drivers during the peak times as are listed below:
 - a. Seven days a week, Monday through Friday.
 - b. From 9:00 P.M. (2100 hrs.) to 11:00 P.M. (2300 hrs.) and from 11:00 P.M. (2300 hrs.) and 5:00 A.M. (0500 hrs.).
2. The Officers assigned will be in addition to the normal traffic enforcement provided by the Town of Cheektowaga Police Department.
3. The Officers will receive training in the identification and handling of persons who are impaired through the use of alcohol and other drugs. This training will be updated periodically.
4. This Patrol will concentrate on ten target streets in the Town of Cheektowaga as follows:

Union Rd., Genesee St., Walden Av., Harlem Rd.,
Broadway, William St., French Rd., Dick Rd.,
Cleveland Dr., and George Urban BD.
5. In order to supplement this increased enforcement with education, Traffic Officers will be assigned to give community service programs to various groups in the community. These programs will concentrate on the 16 to 21 year old age group.

C. Program Funding:

This program is dependent upon the receipt of the available STOP DWI funding.

COUNTY OF ERIE

S.T.O.P. - DWI

PROJECT BUDGET

ENFORCEMENT

Project Duration: 12 Mos.
 From: 01-JAN-91 to 31-DEC-91
 Municipality: Town of Cheektowaga

BUDGET ITEMS	STOP DWI FUNDS
A. PERSONNEL, Enforcement: Regular & Overtime Pay.	
(1) One police officer, 8 hrs. per day X 365 Days	
=2920 hrs. @ \$17.986 per hr.	\$ 52,519.12
(2) One police sergeant, 4 hrs. per week X 52 wks.	
= 208 hrs. @ \$19.527 per hr.	\$ 4,061.62
(3) One clerk, 8 hrs. per week X 52 wks.= 416 hrs.	
@ \$10.098 per hr.	\$ 4,200.77
(4) Overtime for follow up investigations, 25 hrs.	
per month = 300 hrs. @ \$26.979 per hr.	\$ 8,093.70
(5) Additional Enforcement, ie, roadblocks.	
Sub Totals	\$ 68,875.21

B. FRINGE BENEFITS, on above personnel costs only.	
(1) Police officers hrs. worked @ 60%	\$ 31,511.47
(2) Police SGT hrs. worked @ 60%	\$ 2,436.97
(3) Clerk hrs. work @ 60%	\$ 2,520.46
(4) Overtime Police officers @ 60%	\$ 4,856.22
Sub Totals	\$ 41,325.12

BUDGET ITEMS	STOP DWI FUNDS
C. COURT EXPENSE, salary plus fringes.	
6 hrs. per arrest X 600 arrests = 3,600 hrs. @	
\$17.986 per hr. + 60% (fringes)	\$103,599.36
Sub Totals	\$103,599.36

D. EQUIPMENT, unit cost \$100 or more.	
(1) Radar Unit Calibrations, 5 units X 2 per yr.	\$ 250.00
(2) Radar Unit Repairs, 5 units.	\$ 500.00
(3) Breathalyzer Calibrations, 2 units X 2 per yr.	\$ 100.00
(4) Breathalyzer Repairs, 2 units.	\$ 200.00
(5) Simulator Repairs, 2 units.	\$ 100.00
(6) Alco-Sensor Repairs, 4 units.	\$ 500.00
Sub Totals	\$ 1,450.00

E. SUPPLIES, less than \$100 unit cost.	
(1) Ampoules	\$ 307.84
(2) Alco-sensor II breath tubes	\$ 58.80
(3) Blood/Urine collection Kits	\$ 70.00
Sub Totals	\$ 436.64

F. TRAVEL & SUBSISTENCE, mileage & patrol car expenses.	
(1) Lunches while training.	\$ 200.00
(2) Parking @ DMV, Grand Jury, etc.	\$ 200.00
(3) Mileage.	\$ 200.00
Sub Totals	\$ 600.00

BUDGET ITEMS	STOP DWI FUNDS
G. EDUCATION, training of officers.	
(1) 500 hrs. @ \$17.986 per hour.	\$ 8,993.00
Sub Totals	\$ 8,993.00

H. PUBLIC INFORMATION, public speaking, literature.	
(1) 200 hrs. @ \$17.986 per hour.	\$ 3,597.20
Sub Totals	\$ 3,597.20

I. ALL OTHER EXPENSES, miscellaneous.	
(1) UPS shipping for calibration & repair of equipment.	\$ 200.00
(2) Training supplies.	\$ 200.00
(3) Community service supplies.	\$ 200.00
Sub Totals	\$ 600.00

ENFORCEMENT AGENCY:	
Grand Total	\$229,476.53

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

**STOP DWI
 FISCAL COST REPORT**

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

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

**FOR CRIMINAL JUSTICE
 Use Only**

Disposition of Report

Approved _____

Disapproved _____

Reimbursement to Claimant

Monthly _____

Quarterly _____

Cumulative _____

Reviewed By _____

Approved By _____

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

FOR CLAIMANT _____
 Signature Date

Print _____
 Title

FISCAL OFFICER _____
 Signature Date

Print _____

Invoice

Back t

SCHEDULE II - EXPENSE OTHER

STOP DWI

TITLE: _____

FOR MONTH OF _____

APPENDIX C
ERIE COUNTY
STOP DWI
MONTHLY ACCIDENT REPORT

REPORTING AGENCY _____										REPORTING PERIOD _____ TO _____				
#	ACCIDENT:				#CASUALTIES, INJURIES, FATALITIES								BAC OF DRIVER INVOLVED	LOCATION
	DATE	TIME	AM	PM	MOTOR VEHICLE				OTHER (CYCL., ETC.)					
					DRIVER		PASS'GR.		PED'STN		INJ			
				INJ	FAT	INJ	FAT	INJ	FAT	INJ	FAT	INJ	FAT	
1														
2														
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19														
20														

1. BLOOD ALCOHOL CONTENT
 2. BE AS SPECIFIC AS POSSIBLE

County

Reporting Agency

Reporting Period

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

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

3. Total Number of Persons Arrested for Section 1192 Violations by Age

a) Under 18

b) 18

c) 19

d) 20

e) 21-24

f) 25-29

g) 30-39

h) 40-49

i) 50-59

j) 60-64

k) Over 64

5. Total Number of Persons Arrested for Section 1192 Violations by Sex

a) Male

b) Female

6. Total Number of Persons Arrested for Section 1192 Violations by Time Intervals

a) 6:01a.m. to 6:00p.m.

b) 6:01p.m. to 9:00p.m.

c) 9:01p.m. to 12:00p.m.

d) 12:01p.m. to 3:00a.m.

e) 3:01a.m. to 6:00a.m.

4. Total Number of Persons Arrested for Section 1192 Violations by BAC Level

a) No Test Offered

b) Test Refused

c) .00 to .05

d) .051 to .07

e) .071 to .099

f) .10 to .149

g) .15 to .199

h) .20 or Greater

7. Total Number of Persons Arrested for Section 1192 Violations by Day

a) Sunday

b) Monday

c) Tuesday

d) Wednesday

e) Thursday

f) Friday

g) Saturday

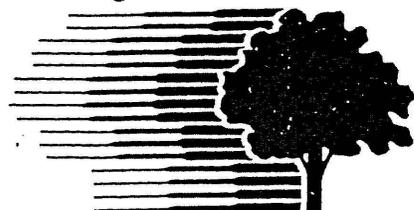
JAMES J. KIRISITS
Town Attorney

KEVIN G. SCHENK
Deputy Town Attorney

MICHAEL J. STACHOWSKI
Special Prosecutor

OFFICE OF THE TOWN ATTORNEY
Town Hall, Broadway & Union Road
Cheektowaga, New York 14227
716/686-3457

Growing In A New Direction



TOWN OF CHEEKTOWAGA
Erie County, New York

October 17, 1991

County of Erie
Special Traffic Options Program
134 West Eagle Street
Buffalo, New York 14202

Att'n: Maria Martens
Coordinator

ORIGINAL DOCUMENT
ON FILE
OCT 25 1991
IN CLAIMS OFFICE
T.A.W. DEPARTMENT

Re: Self Insurance Notification for Contracts with County for:

- 1. STOP-DWI
- 2. Nutrition
- 3. Van Service
- 4. Snow Removal

Dear Ms. Martens:

Be advised that, on March 24, 1980, the Town of Cheektowaga elected to self-insure and pay compensation benefits to its employees in accordance with the Workers Compensation Law of the State of New York. A copy of the letter from the N.Y.S. Workers Compensation Board accepting the Town as a self-insured employer is available upon request. Payments for such benefits are guaranteed by the full faith and credit of the Town and will be paid out of budgeted funds or from funded loss reserves or from Excess Workers Compensation insurance.

This notice will certify that the Town of Cheektowaga has elected to become a self-insurer for liabilities formerly covered by policies of Automobile, General, Police, Public Officials and Excess Umbrella Liability insurance. A copy of the Town Board resolutions effecting self-insurance are available upon request.

In lieu of a Certificate of Insurance, please accept this notice as evidence of the Town's intent to pay its legal obligations for meritorious Automobile, General, Police and other uninsured liability claims made against it and the County of Erie to the extent provided in the Town's agreement with you.

Payments for such claims are guaranteed by the full faith and credit of the Town or its districts, as applicable, and will be paid out of budgeted funds or from funded loss reserves or from the proceeds of bonds the Town is permitted to issue for the payment of claims.

I trust the above will satisfy your insurance requirements. If you have any questions, please let me know.

Very truly yours,

Kevin G. Schenk
Deputy Town Attorney

cc: Ernest A. Holfoth

NOV 25 1991

1691 C 2 AMM

At a regular meeting of the Town Board of the Town of Cheektowaga, County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 19th day of March, 1990, at 7:30 o'clock p.m. Eastern Standard Time there were:

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

ABSENT: 0

Motion by Supervisor Swiatek seconded by Councilman Gabryszak

WHEREAS, the Town and its consultant has received and evaluated proposals for Automobile Liability insurance and has determined potential benefits to self-insure its Auto Liability obligations, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga elects to self-insure its obligation to pay automobile liability and statutory no fault and uninsured motorists claims made against it and others it has a legal obligation to indemnify for such claims, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga will, by separate resolution:

1. Retain the services of SIS Services of New York to administer the Auto Liability claims, and
2. Transfer funds from unallocated insurance to the Risk Retention Fund to pay its claims and service costs.

ORIGINAL DOCUMENT
ON FILE;

JUN 20 1990
Allen B. Johnston
IN CLAIMS OFFICE
TOWN DEPARTMENT

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

NOV 25 1991

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 7th day of October, 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 K. Kozak~~
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by Councilman Jaworowicz seconded by Supervisor Swiatek

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

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

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

RESOLVED, that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1991 and terminates December 31, 1991 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute five (5) copies of the attached Agreement and any and all other papers necessary to implement the terms of this Agreement.

STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK OF THE
TOWN OF CHEEKTOWAGA

} ss: This is to certify that I, RICHARD M. MOLESKI, Clerk of the Town of Cheektowaga, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Cheektowaga

in said County of Erie, on the 7th day of October 19 91, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(SEAL)

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 8th day of October 19 91

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



Item No. 31

Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz to adjourn this meeting until October 15, 1991 at 5:30 P.M.

Item No. 1 At a adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of October, 1991 at 5:30 o'clock P.M., Eastern Daylight Saving Time there were:

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

ABSENT: Councilman Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Ronald Zoeller, Sanitation General Foreman and David Kulik, Foreman in Sanitation Department.

I. RESOLUTIONS

Item No. 2 Increase and Improvement of Facilities for Cheektowaga Consolidated Refuse and Garbage District.
This item was withdrawn.

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

WHEREAS, Local Law No. 5 of 1990, known as the "Garbage, Rubbish and Refuse Collection Law of the Town of Cheektowaga, New York" requires that recyclable rubbish must be separated from nonrecyclable rubbish, as well as separated into three further subcategories, and bundled or placed in appropriate containers for collection, and

WHEREAS, section 120-w of the General Municipal Law authorizes the award of a contract "for the processing or disposal of solid waste or for a system of collection and disposal of solid waste through resource recovery which may include source separation", pursuant to public bidding, and

WHEREAS, bid specifications for the "Disposition of Recyclable Materials Collected within the Town of Cheektowaga" were prepared, a Notice to Bidders was published and four bids were received, namely from: Browning Ferris Industries, Modern Disposal, Inc., Daystar Recycling Corp. and Integrated Waste Systems, Inc., and

WHEREAS, the aforesaid bids have been analyzed, tabulated and reviewed by Ronald D. Zoeller, General Foreman, Sanitation Department, who based upon such analysis, tabulation and review, has recommended that Alternate Proposal II, Items I and III be awarded to Integrated Waste Systems, Inc. as being the lowest responsible bidder meeting specifications, and

WHEREAS, this Town Board has conducted a careful and thorough review of this matter.

NOW, THEREFORE, BE IT RESOLVED that the contract for the "Disposition of Recyclable Materials Collected Within the Town of Cheektowaga" be and hereby is awarded to Integrated Waste Systems, Inc., such contract award being Alternate Proposal II, Items I and III.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

ADJOURNED MEETING NO. 21
October 15, 1991

Item No. 4 Motion by Supervisor Swiatek, Seconded by Councilman Rogowski to adjourn this meeting.

PUBLIC HEARINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 22 October 21, 1991</u>		
2	Amendment to Vehicle and Traffic Ordinances - ART. VIII, "Stop and Intersections" - Glenwood Ct. east-west leg, Baywood Drive and ART. X, "Parking Standing and Stopping" - Autumnwood Drive	1-2
<u>Meeting No. 23 October 28, 1991</u>		
2	Benefit Basis Budget	1
3	Ad Valorem Budget	1
<u>Meeting No. 24 November 4, 1991</u>		
2	Amendment to Chapter 51 of the Code of the Town of Cheektowaga Regarding "Peddlers and Hawkers"	1-2
<u>Meeting No. 26 November 18, 1991</u>		
2	Amendments to Vehicle and Traffic Ordinances - ART. VIII, "Stop and Yield Intersections" - Wedgewood Drive and ART. X, "Parking, Standing and Stopping" Barbados Drive	1-2
<u>Meeting No. 27 November 26, 1991</u>		
2	Public hearing on the Proposed New Master Plan	

R E S O L U T I O N S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 22 October 21, 1991</u>		
3	Call for Public Hearing: Amendment to Chapter 51 of the Code of the Town of Cheektowaga regarding "Peddlers and Hawkers"	2-3
4	Notice to Bidders: Movable plunger lift for trucks in Central Garage	4
5	CLEAN-UP OF PROPERTY AT:	
	a. 1091 Maryvale Drive	5
	b. 369 Shanley Street	5
	c. 4347 Union Road	5
6	Authorize NYSDOT to use Tadio Parkway during Genesee Street, Part 1, S. H. 1212 reconstruction	6
7	Approval for construction of sidewalks re: construction of Genesee Street, Part I, S.H. 1212 and Transit Road, Part 4, S.H. 1334 in Town of Cheektowaga	6
8	Rescind conditions in resolution for approval of Special Permit for 3160 Union Rd dated 9/16/91 and replacing with different conditions	6-7
9	Decision on Rezoning: Sonwil Distribution Center, Inc., Sonwil Drive	8
10	APPOINTMENTS:	
	a. Program Coordinator Youth and Recreation Department	8
	b. Permanent position of Assistant Building Inspector	8
	c. Animal Control Officer in Police Department	8
11	Reinstate employee to position of Recreation Instructor in Youth & Recreation Dept.	8-9
12	Return employee to previous position of Part-Time Recreation Attendant	9
13	Termination of seasonal and/or part-time employees in various depts.	9-10
14	Hiring seasonal employees in various departments	10
15	Authorize Supervisor to sign contract regarding "Haunted Forest" music	10
16	Transfer of Funds	10-11
17	Warrant List	11

Meeting No. 24 November 4, 1991

3	DECISION:	
	a. Rezoning of Fronchowiak Avenue at the East Corner of Maischoss St.	2
	b. Rezoning of 64 Hedley Street	3
	c. Rezoning of Sonwil Distribution Center, Inc., Sonwil Drive	4
	d. Special Use Permit Regarding 2368 Genesee Street	5
	e. Amendments to Vehicle and Traffic Ordinances - Art. VIII, "Stop & Yield Intersections"-Glenwood Court, east-west leg-Baywood Drive & ART. X, "Parking, Standing and Stopping"-Autumnwood Drive	6-7
4	CALL FOR PUBLIC HEARING:	
	a. Amendments to Vehicle and Traffic Ordinances - Art. VIII, "Stop & Yield Intersections"-Wedgewood Drive and Art. X, "Parking, Standing & Stopping"-Barbados Drive	8
	b. Adopt a New Master Plan, Zoning Maps and a Local Law Relating to Rezoning	9
5	ACCEPTANCE OF DEED, EASEMENT AND MAINTENANCE BOND FOR:	
	a. Duke Road	10
	b. Portion of Patricia Lane	10

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 24 November 4, 1991 cont'd.</u>		
6	Affirm Recommendations of SEQR Meeting on October 18, 1991 Regarding 65 Innsbruck Drive	11
7	Authorize NYSEG to Install a 20 Foot Street Lighting Bracket	12
8	Support for Advisory Petition Instructing Treasury Department to Create and Issue Interest-Free Loans to Tax-Supported Bodies	13
9	Authorize Payment for Sanitary Sewer Repair	13
10	Approve Final Payment for Site Work at the Alexander Community Center	14
11	AUTHORIZE SUPERVISOR TO SIGN/EXECUTE:	
	a. Agreement with Housing Assistance Center of Niagara Frontier Inc.	14
	b. Documents in Connection with the Sale of 1277 Walden Avenue	14
	c. Memorandum of Agreement Between the Town of Cheektowaga and the Town of Cheektowaga Employees Association	15
	d. License Agreement	16
	e. Agreement with NYSDOT	17
12	TERMINATION OF EMPLOYEES:	
	a. Laborer in Sanitation Department	17
	b. Part-Time Employees in Various Departments	18
13	APPOINTMENT OF EMPLOYEES:	
	a. Assessor	18-19
	b. General Crew Chief in Sanitation Department	19
	c. General Crew Chief in Central Garage (Temporary)	19-20
	d. Automotive Body Repairworker in Central Garage	20
	e. Laborer's Aide in Sanitation/Recycling Department	20
14	Reclassification of Assistant Working Crew Chief	20
15	HIRING OF EMPLOYEES:	
	a. Part-time Employees in Sanitation Department	20-21
	b. Part-time Employees in the Youth and Recreational Services Dept.	21
	c. Seasonal Employees in the Sanitation Department	21
16	Transfer of Funds	22
17	Warrant List	22-23

Meeting No. 26, November 18, 1991

3	BOND RESOLUTIONS:	
	a. Acquisition of hydraulic lift, computer hardware and software and semi-automatic pistols	2
	b. Construction of bridge to replace Ledyard Street Bridge	2
	c. Construction of road improvements at Kensington Avenue, Cleveland Drive and Century Road	2
	d. Purchase of various vehicles for Highway Department	2
	e. Reconstruction of Heating, Ventilating and Air Conditioning at Town Park Recreation Center	2
	f. Reconstruction of Police and Court Building	2
	g. Reconstruction of South Branch Library Building	2
	h. Drainage and Flood Control	2
	i. Acquisition of Land (Wedgewood Drive)	2
	j. Construction of Foot Bridge over Scajaquada Creek	2
	k. Preparation of plans for Highway Improvement/traffic studies and construction of new library	2
4	Call for Public Hearing regarding Community Development Block Grant	2-3
5	Amendment to Chapter 51 of the Code of the Town of Cheektowaga "Peddlers and Hawkers Ordinance"	4-5

RESOLUTIONS cont'd.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 26 November 18, 1991 cont'd.</u>		
6	AWARD OF BID:	
	a. Installation of truck lift for Central Garage	6
	b. Purchase of vehicles for Sanitary Sewer Maintenance Department	7
7	NOTICE TO BIDDERS:	
	a. Labor and equipment for snow removal in emergency	8
	b. Removal and installation of new flooring material in central area of Senior Citizens Center	9
	c. Refinishing of soffits at Reinstein Library on Harlem Road	10
	d. Purchase of 1991 truck with vacuum jet sewer cleaner	11
	e. Modification to Central Garage Building	12-13
8	Abandonment of portion of Speidel Avenue	14
9	AUTHORIZE SUPERVISOR TO SIGN/EXECUTE:	
	a. Subordination Agreement re: 611 Cleveland Drive	14
	b. Agreement with Supportive Services Corp. of WNY	14-15
	c. Documents regarding sale of 1277 Walden Avenue	15-16
	d. Documents regarding purchase of vacant land for Wedgewood Drive extension	17
10	Create position of Administrative Assistant in Youth & Recreational Services Department	18
11	APPOINTMENT TO FILL VACANCIES:	
	a. Public Safety Dispatcher (permanent)	18
	b. Clerk-Typist in Police Department (temporary)	18
12	Termination of Seasonal and/or Part-Time employees in various depts.	19
13	HIRING:	
	a. Part-Time employees in various departments	19
	b. Seasonal employees in various departments	19
14	Pay adjustment for Clerk-Stenographer in Council Office	19-20
15	Extension of sick leave for Cleaner in Facilities Department	20
16	Transfer of Funds	20-21
17	Warrant List	22

DEPARTMENTAL COMMUNICATIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 22 October 21, 1991</u>		
18	REPORTS:	
	a. Supervisor's Statement of Funds/May, 1991	11
	b. Disaster Coordinator's Quarterly Report/July-Sept., 1991	11
19	MINUTES OF:	
	a. Cheektowaga Library Board/September 26, 1991	11
	b. Cheektowaga Planning Board/September 12, 1991	11
<u>Meeting No. 24 November 4, 1991</u>		
18	Building Permits	23
19	Minutes of Traffic Safety Commission Meeting - Oct. 15, 1991	23
20	Supervisor's Statement of Funds - June, 1991	23
<u>Meeting No. 26 November 18, 1991</u>		
18	Supervisor's Statement of Funds/August 1991	22
19	MINUTES OF:	
	a. Cheektowaga Planning Board/October 10, 1991	22
	b. Cheektowaga Library Board/October 24, 1991	22

GENERAL COMMUNICATIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 22 October 21, 1991</u>		
20	Summons and Complaint: Robert Kuznicki as parent and natural guardian of Sandra Kuznicki, an infant vs Town of Cheektowaga	12
21	NOTICE OF CLAIM: a. David Percy vs Town of Cheektowaga b. Arlene Green vs Town of Cheektowaga	12 12
22	Request to Speak: Joseph A. DiDomenico	12
<u>Meeting No. 24 November 4, 1991</u>		
21	Summons and Complaint: Robert Avery vs Dennis Gibbs and the Town of Cheektowaga	23
22	NOTICE OF CLAIM: a. Veronica Kathleen Mitchell vs the Town of Cheektowaga b. Edwin G. Trapp vs the Town of Cheektowaga c. Daniel A. Vohwinkel vs the Town of Cheektowaga d. Barbara Harling, individually, and as Mother of Stephen Harling vs the Town of Cheektowaga	23 23 23 24
23	Correspondence from North Creek Homeowners Association Regarding Roadway at Rear of Consumer Square	24
<u>Meeting No. 26 November 18, 1991</u>		
20	NYS DOT - Notice of Order: Removal of Signal 334P located at Rt. 33, Genesee Street and Arvin Calspan east driveway	22
21	NOTICE OF CLAIM: a. Grace and Benedict Baker vs Town of Cheektowaga b. Joseph Kwiatkowski vs Town of Cheektowaga c. Phillip Whitney vs Town of Cheektowaga	22 23 23

S U S P E N S I O N O F R U L E S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 22 October 21, 1991</u>		
23	AMEND TOWN'S 1991 BUDGET REGARDING GRANTS FOR:	
	a. Town Wide Partnership - Stop Abuse of Drugs	12
	b. Local Government Records Management Improvement Fund	13
24	DECISION ON:	
	a. Rezoning 2150-2190 Walden Avenue	13
	b. Special Permit 2150-2190 Walden Avenue	14
25	Award of Bid: Trees for William Street Beautification	15
26	Appointment of clerk in Clerk's Office under S.A.R.A. program	16
27	Appointment of Animal Control Officer	16

Meeting No. 24 November 4, 1991

24	Appointment of Automotive Mechanic Crew Chief in Central Garage (Temporary)	24
25	Authorize Niagara Mohawk Power Corp. to Implement a Street Lighting Bracket	24
26	Amend Town of Cheektowaga 1991 Budget	25
27	Rescind Award of Bid for the Youth and Recreational Services Department dated May 6, 1991	25

Meeting No. 26 November 18, 1991

22	Reinstate Patrolman in Police Department	23
23	Leave of Absence for Cleaner in Facilities Department	23

ADJOURNED MEETINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Adjourned Meeting No. 25 November 14, 1991</u>		
2	Adoption of Benefit Basis Budget	1
3	Adoption of Ad Valorem Budget	1-2

SPECIAL MEETINGS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 27 November 26, 1991</u>		
2	BOND RESOLUTIONS:	
	a. Acquisition of hydraulic lift, computer hardware and software and semi-automatic pistols	1
	b. Construction of bridge to replace Ledyard Street Bridge	2
	c. Construction of road improvements at Kensington Avenue, Cleveland Drive and Century Road	3
	d. Purchase of various vehicles for Highway Department	4
	e. Reconstruction of Heating, Ventilating and Air Conditioning at Town Park Recreation Center	5
	f. Reconstruction of Police and Court Building	6
	g. Reconstruction of South Branch Library Building	7
	h. Drainage and Flood Control	8
	i. Acquisition of Land (Wedgewood Drive)	9
	j. Construction of Foot Bridge over Scajaquada Creek	10
	k. Preparation of plans for Highway Improvement/traffic studies and construction of new library	11
3	Settlement of Law Suit	12
4	Amend Resolution of November 18, 1991 regarding Notice to Bidders (Labor and equipment for snow removal in emergency)	12

NO. 22

NO. 25

NO. 26

NO. 27

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of October, 1991 at 7:30 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Councilman Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Supervisor Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; John Howlett, Captain, Police Dept.; Ronald Marten, Building Inspector; Kenneth Kopacz, Director of Youth & Recreational Services Salvatore LaGreca, Chairman of Planning Board, and Leonard Szymanski, Facilities Foreman.

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>
Glenwood Ct. east-west leg	East-west	Glenwood Ct. north-south leg	Northbound	S.E. corner
Baywood Dr.	East-west	Knollwood Dr.	Northbound	S.E. 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:

NO. 22

Item No. 3 continued

2. RESOLVED, that subsection H of Section 51-4 which relates to applications for permits, shall be amended by adding thereto at the end thereof the following wording:

" , and, if applicable, (i) the address(es) or location(s) from which the applicant intends to peddle, and (ii) the name(s) and addresses(es) of the owner(s) of such property. If the applicant proposes to operate from an established location and the property is not owned by the applicant, the written consent of the owner to such hawking and peddling by the applicant must be attached to the application.

3. RESOLVED, that subsections A and B of Section 51-6, which pertains to fees for permits, shall be amended to read as follows:

- A. The fee for each person proposing to peddle, whether on foot, from a vehicle or otherwise shall be one hundred dollars (\$100.)
- B. The fee herein provided for shall be assessed on a six-month basis, but any such permit may be renewed for additional six month periods upon payment of additional fees. There shall be no pro-rating of or reduction in fees for fractional period of a six month period.

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

Dated: October 21, 1991

Richard M. Moleski
Town Clerk

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

**LEGAL NOTICE
NOTICE OF HEARING
ON PROPOSAL TO AMEND
PEDDLERS AND HAWKERS
ORDINANCE
(CHAPTER 51 OF THE CODE
OF THE TOWN OF
CHEEKTOWAGA)**

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 21st day of October, 1991, and in accordance with the provisions of the Town Law of the State of New York, a public hearing will be held on the 4th day of November, 1991 at 7:30 o'clock P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the "Peddlers and Hawkers Ordinance" of the Town of Cheektowaga shall be amended and changed as follows:

1. RESOLVED, that the definition of the word "PEDDLER", as found in Section 51-2, shall be amended by adding thereto at the end thereof, the following wording:

The word "peddler" shall also include a person or corporation conducting transient business, as that term is defined in Section 85-a of the General Municipal Law, within the Town of Cheektowaga.

2. RESOLVED, that subsection H of Section 51-4 which relates to applications for permits, shall be amended by adding thereto at the end thereof the following wording:

" and, if applicable, (i) the

address(es) or location(s) from which the applicant intends to peddle, and (ii) the name(s) and address(es) of the owner(s) of such property. If the applicant proposes to operate from an established location and the property is not owned by the applicant, the written consent of the owner to such hawking and peddling by the applicant must be attached to the application.

2. RESOLVED, that subsections A and B of Section 51-6, which pertains to fees for permits, shall be amended to read as follows:

A. The fee for each person proposing to peddle, whether on foot, from a vehicle or otherwise shall be one hundred dollars (\$100.)

B. The fee herein provided for shall be assessed on a six-month basis, but any such permit may be renewed for additional six month periods upon payment of additional fees. There shall be no pro-rating of or reduction in fees for fractional period of a six month period.

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

Dated: October 21, 1991

RICHARD M. MOLESKI

Town Clerk

PUBLISHED: October 24, 1991

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.....October 24, 1991.....;
last publication.....October 24, 1991.....;
and that no more than six days intervened be-
tween publications.

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

Sworn to before me this24th.....

day ofOctober....., 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

Item No. 4 Motion by Councilman Blachowski Seconded by Councilman Gabryszak

WHEREAS, the Town Central Garage is in need of a movable plunger lift for trucks, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders in the Cheektowaga Times, and BE IT FURTHER

RESOLVED, that sealed proposals will be received by the Town of Cheektowaga on the 4th day of November, 1991 at 11:00 A.M. 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 the Town Board of the Town of Cheektowaga invites sealed proposals for the furnishing of all materials and labor necessary for the purchase and installation of a movable plunger lift for trucks in the Central Garage, and the removal of the existing truck lift in the Central Garage.

All such sealed proposals must be received by the Town at the Town Clerk's Office, Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on or before November 4, 1991 at 11:00 A.M., at which time all sealed proposals will be opened by the Town Clerk in the Town Hall Council Chambers and publicly considered.

Information for Bidders and Specifications for this project will be available for examination and procurement at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York between the hours of 9:00 A.M. and 4:30 P.M. on regular business days.

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

Dated: October 21, 1991

Richard M. Moleski,
Town Clerk

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
NOTICE TO BIDDERS**
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga invites sealed proposals for the furnishing of all materials and labor necessary for the purchase and installation of a movable plunger lift for trucks in the Central Garage and the removal of the existing truck lift in the Central Garage.
All such sealed proposals must be received by the Town at the Town Clerk's Office, Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on or before November 4, 1991 at 11:00 A.M., at which time all sealed proposals will be opened by the Town Clerk in the Town Hall Council Chambers and publicly considered.
Information for Bidders and Specifications for this project will be available for examination and procurement at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York between the hours of 9:00 A.M. and 4:30 P.M. on regular business days.
BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK.
Dated: October 21, 1991
RICHARD M. MOLESKI
Town Clerk
PUBLISHED: October 24, 1991

.....Melanie Wolf....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) isClerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication...October 24, 1991; last publication...October 24, 1991; and that no more than six days intervened between publications.

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

Sworn to before me this24th..... day ofOctober....., 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

Item No. 5a Motion by Councilman Rogowski Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on property located at 1091 Maryvale Drive, Cheektowaga, New York, SBL #92.09-4-2 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 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 by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon Roll Call....

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

Item No. 5b Motion by Councilman Rogowski Seconded by Councilman Gabryszak

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located south of 369 Shanley Street (Sublots 36 and 37), Cheektowaga, New York, SBL #112.67-5-14 and SBL #112.65-5-15 and according to the Assessor's Office is owned by Victor Skubinski, Buffalo, New York 14206, and

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

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

Upon Roll Call....

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

Item No. 5c Motion by Councilman Rogowski Seconded by Councilman Gabryszak

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

Item No. 6 Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, the New York State Department of Transportation proposes to reconstruct Genesee Street, Part 1, SH1212 in the Town of Cheektowaga in Erie County, and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of necessity: Tadio Parkway from a point 350+ west of it's intersection with Tammy Lane to Tadio Parkway's present intersection with Genesee Street near Harmony Lane, and

WHEREAS, the New York State Department of Transportation will provide for maintenance of the detour roadway during operation of the detour, including snow and ice control, if necessary, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Cheektowaga does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with Subsection 619 of its Standard Specifications during the period of necessity, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga will continue to provide snow and ice control for the above mentioned roads and streets during construction when the detour is not in use, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of this resolution to the State Department of Transportation.

Upon Roll Call....

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

Item No. 7 Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, the New York State Department of Transportation proposes the construction of Genesee Street, Park 1, S.H. 1212 in the Town of Cheektowaga and Transit Road, Part 4, S.H. 1334 in the Towns of Cheektowaga and Lancaster, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project, the construction of sidewalks, pursuant to Section 10, Subdivision 22, Section 46, or Section 349-c of the Highway Law, as shown on the contract plans relating to the project, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby approves the construction of such sidewalks shown on the contract plans relating to the project and that the Town of Cheektowaga will maintain or cause to be maintained sidewalks constructed as above stated and as shown on the contract plans, including the control of snow and ice, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

Upon Roll Call....

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

Item No. 8 Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, Gemini Express Lines USA, Inc. have applied for a Special Permit for a truck terminal maintenance garage on property located at 3160 Union Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

Item No. 8 continued

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of August, 1991 at 7:00o'clock P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the Zoning Ordinance and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit subject to certain conditions, 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 3160 Union Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment provided certain conditions are complied with, and

WHEREAS, by resolution dated September 16, 1991, this Town Board approved the Special Permit for 3160 Union Road, subject to certain conditions, and

WHEREAS, this Town Board wishes to rescind the conditions contained in such resolution and replace them with different conditions, NOW, THEREFORE, BE IT

RESOLVED, that the conditions contained in the aforementioned resolution dated September 16, 1991 be and hereby are rescinded, and BE IT FURTHER

RESOLVED, that the Special Permit for 3160 Union Road be and hereby is granted subject to the following conditions:

1. A 10 foot wide landscaping strip be established along the north property line from Union Road to a depth the same as the landscaping proposed for Don's Collision (i.e., to the rear of the Don's Collision building).
2. All approved landscaping and blacktopping of both driveways to a depth of 80 feet shall be installed immediately or as soon as weather permits. If such landscaping is not installed prior to the issuance of a certificate of occupancy for the new building, the applicant must post a deposit, as required by the Zoning Ordinance, to insure landscaping.
3. The landscaping be curbed with concrete curbing.
4. All vehicles on this site must have a valid New York State inspection certificate.
5. No outside storage of trucking-related scrap parts shall be allowed and the operation shall not be open to the public.
6. All vehicles that are under major repair and partially dismantled shall be stored inside the building.
7. Calcium chloride be applied or other dust control measures acceptable to the Highway, Engineering and Building Departments be instituted to a depth of 245 feet, commencing at the rear of the aforementioned 80 foot strip. Failure to continue to institute dust control measures will result in the demand that blacktopping of this area be completed immediately.
8. The property be re-graded to improve the drainage, with the approval of the Town Engineer.
9. A sign be installed at the south driveway indicating "Employees Only" or wording to that effect. Two-way traffic at this driveway will be allowed for a one year trial period, after which the situation will be reviewed to determine if this driveway has posed a problem for traffic.

* See legal description next page

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

PROPOSED LEGAL DESCRIPTION
3160 UNION ROAD

BEGINNING at a point on the east line of Lot 15, said line also being the Centerline of Union Road at a distance of 1232.00 feet south of the south line of Broadway as measured on said centerline of Union Road; running thence westerly at an angle of $92^{\circ}01'30''$ in the northwest quadrant with the westerly line of Union Road a distance of 400.00 feet; thence northerly and parallel the easterly line of Lot 15 a distance of 110.00 feet to a point; thence westlerly and parallel the first described 400.00 foot course 438.86 feet to a point; thence southerly and parallel the easterly line of Lot 15, 350.00 feet to a point; thence westerly at an angle of $92^{\circ}01'30''$ in the northwest quadrant with the centerline of Union Road a distance of 838.86 feet to a point on the east line of Lot 15; thence northerly on the east line of Lot 15 being the Centerline of Union Road 240.00 feet to the point or place of beginning.

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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said paper once a week for1..... weeks;
first publication.....October 24, 1991.....;
last publication.....October 24, 1991.....;
and that no more than six days intervened be-
tween publications.

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

Sworn to before me this24th.....

day ofOctober....., 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 21st day of October, 1991 at 7:30 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Councilman Patricia A. Jaworowicz
Councilman Dennis H. Gabryszak
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Supervisor Frank W. Swiatek

Motion by: Councilman Gabryszak
Seconded by: Councilman Solecki

WHEREAS, Gemini Express Lines USA, Inc. applied for a Special Permit for a truck terminal maintenance garage on property located at 3160 Union Road, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of August, 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 Cheektowaga Planning Board has recommended approval of the Special Permit subject to certain conditions, 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 3160 Union Road, and has rendered a determination that the Special Permit will not have a significant effect on the environment provided certain conditions and complied with, and

WHEREAS, by resolution dated September 16, 1990, this Town Board approved the Special Permit for 3160 Union Road, subject to certain conditions, and

WHEREAS this Town Board wishes to amend the conditions contained in such resolution and replace them with different conditions, NOW, THEREFORE BE IT

RESOLVED, that the conditions contained in the aforementioned resolution dated September 16, 1991 be and hereby be rescinded, and BE IT FURTHER

RESOLVED, that the Special Permit for 3160 Union Road be and hereby is granted subject to the following conditions:

1. A 10 foot wide landscaping strip be established along the north property line from Union Road to a depth the same as the landscaping proposed for Don's Collision (i.e., to the rear of the Don's Collision building).

2. All approved landscaping and blacktopping of both driveways to a depth of 80 feet shall be installed immediately or as soon as weather permits. If such landscaping is not installed prior to the issuance of a certificate of occupancy for the new building, the applicant must post a deposit, as required by the Zoning Ordinance, to insure landscaping.

3. The landscaping be curbed with concrete curbing.

4. All vehicles on this site must have a valid New York State inspection certificate.

5. No outside storage of trucking-related scrap parts shall be allowed and the operation shall not be open to the public.

6. All vehicles that are under major repair and partially dismantled shall be stored inside the building.

7. Calcium chloride be applied or other dust control measures acceptable to the Highway, Engineering and Building Departments be instituted to a depth of 245 feet, commencing at the rear of the aforementioned 80 foot strip. Failure to continue to institute dust control measures will result in the demand that blacktopping of this area be completed immediately.

8. The property be re-graded to improve the drainage, with the approval of the Town Engineer.

9. A sign be installed at the south driveway indicating "Employees Only" or wording to that effect. Two-way traffic at this driveway will be allowed for one year trial period, after which the situation will be reviewed to determine if this driveway has posed a problem for traffic.

Open roll call...

Supervisor Swiatek Voting ABSENT
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Solecki Voting AYE
Councilman Rogowski Voting AYE
Councilman Blachowski Voting AYE

AYES: 5
NAYES: 0
ABSENT: 1

PROPOSED LEGAL DESCRIPTION

3160 UNION ROAD
BEGINNING at a point on the east line of Lot 15, said line also being the Centerline of Union Road at a distance of 1232.00 feet south of the south line of Broadway as measured on said centerline of Union Road; running thence westerly at an angle of 92 degrees 01'30" in the northwest quadrant with the westerly line of Union Road a distance of 400.00 feet; thence northerly and parallel the easterly line of Lot 15 a distance of 110.00 feet to a point; thence westerly and parallel the first described 400.00 foot course 438.86 feet to a point; thence southerly and parallel the easterly line of Lot 15, 350.00 feet to a point; thence westerly at an angle of 92 degrees 01'30" in the northwest quadrant with the centerline of Union Road a distance of 838.86 feet to a point on the east line of Lot 15; thence northerly on the east line of Lot 15 being the Centerline of Union Road 240.00 feet to the point or place of beginning.

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 October 21, 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 meetings of said Board, and such minutes appear at item 8, 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 21st day of October, 1991.

RICHARD M. MOLESKI
TOWN CLERK

PUBLISH: October 24, 1991

Item No. 9 Decision on Sonwil Drive Rezoning.
This item was withdrawn

Item No. 10a Motion by Councilman Gabryszak Seconded by Councilman Blachowski

WHEREAS, by resolution, this Town Board created the position of Program Coordinator in the Youth and Recreation Department, AND

WHEREAS, this Town Board is interested in filling said position, AND

WHEREAS, this position will be underwritten by the Alcohol, Drug Abuse and Mental Health Administration of the U. S. Department of Health and Human Services' Public Health Service under grant number 1 H86 SP04160-01A1, NOW, THEREFORE, BE IT

RESOLVED, that Ellen Fischer, currently employed as a Program Coordinator on a part-time basis (Line #01-7310-001-1811) in the Youth and Recreation Department, is familiar with the duties and meets all the necessary qualifications of such position, AND, BE IT FURTHER

RESOLVED, that Ellen Fischer of Cheektowaga, New York 14225 be and hereby is appointed to the full-time position of Program Coordinator (Line #0100-7320-1000) in the Youth and Recreation Department effective immediately and at a salary of \$23,100 per year.

Upon Roll Call....

AYES: Councilmen Jaworowicz, Gabryszak, Solecki, Rogowski and Blachowski

NAYES: 0

ABSENT: Supervisor Swiatek

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

WHEREAS, by resolution, this Town Board appointed Gary Parks to the position of Assistant Building Inspector, on a provisional basis, pending the establishment of a valid competitive Civil Service list for said position, AND

WHEREAS, such competitive Civil Service list has now been established by the Erie County Department of Personnel, AND

WHEREAS, Gary Parks appears on said eligible list, NOW, THEREFORE, BE IT

RESOLVED, that Gary Parks of Cheektowaga, New York, 14225, be and hereby is permanently appointed to the position of Assistant Building Inspector, effective immediately, and 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: Councilmen Jaworowicz, Gabryszak, Solecki, Rogowski and Blachowski

NAYES: 0

ABSENT: Supervisor Swiatek

Item No. 10c Appointment of Animal Control Officer.
This item was withdrawn.

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

WHEREAS, by resolution, this Town Board granted Bernadette Platt a one (1) year leave of absence for the purpose of child rearing, AND

WHEREAS, this leave expires on October 22, 1991 and the employee has indicated her desire to return to work, NOW, THEREFORE, BE IT

RESOLVED, that Bernadette Platt be reinstated to her position as Recreation Instructor in the Youth and Recreation Department as of October 22, 1991.

Item No. 11 continued

* * * * *

Motion by Councilman Gabryszak Seconded by Councilman Rogowski to amend the resolution to read effective October 21st and not October 22nd and the voting was as follows:

Upon Roll Call....

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

* * * * *

Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, by resolution, this Town Board granted Bernadette Platt a one (1) year leave of absence for the purpose of child rearing, AND

WHEREAS, this leave expires on October 21, 1991 and the employee has indicated her desire to return to work, NOW, THEREFORE, BE IT

RESOLVED, that Bernadette Platt be reinstated to her position as Recreation Instructor in the Youth and Recreation Department as of October 21, 1991.

Upon Roll Call....

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

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

WHEREAS, by resolution, this Town Board appointed Maureen Schneider to fill a temporary vacancy in the position of Recreation Instructor, created due to a leave of absence, AND

WHEREAS, the incumbent in that position is returning from that leave, NOW, THEREFORE, BE IT

RESOLVED, that Maureen Schneider be and hereby is returned to her previous position of Part-Time Recreation Attendant.

Upon Roll Call....

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

Item No. 13 Motion by Councilman Rogowski Seconded by Councilman Blachowski

BE IT RESOLVED, that the following seasonal and/or part-time employees be and hereby are terminated as listed:

SANITATION

EFFECTIVE

Alfred Amanti, Jr.	Immediately
Daniel Bienko	"
Gary Cammilleri	"
Brian Coppola	"
Ronald Cyrankowski, Jr.	"
Henry Januszczak	"
Joseph Krzeminski	"
James Kwiatkowski	"

Item No. 13 continued

SANITATION
Laurie Lang
Lawrence Wheeler

EFFECTIVE
Immediately
Immediately

ASSESSOR'S OFFICE
Sandra Trzaska

October 4, 1991

Upon Roll Call....

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

Item No. 14 Motion by Councilman Rogowski 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:

<u>SANITATION DEPARTMENT - \$5.00 per hour</u>		<u>EFFECTIVE</u>
Edward Pozdyn	(Laborer)	Immediately
Ronald Lynch	(Laborer)	Immediately

AND, BE IT FURTHER

RESOLVED, that Larry Godzich, currently a part-time employee in the Youth and Recreation Department, be and hereby is transferred to the Sanitation Department as a seasonal employee, effective immediately.

Upon Roll Call....

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

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

BE IT RESOLVED that the Supervisor be and hereby is directed to sign an agreement between the Youth and Recreational Services Department and Johnny Buick and the Fabulous Dynafloes, to cover the expense of their performance during the annual Haunted Forest to be held in Stiglmeier Park during the period of October 22nd - 24th, 1991, at a total cost of \$1,500. (Line Item 7140.4491)

Upon Roll Call....

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

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

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

GENERAL FUND

FROM: 0100-7310-1811	Youth Conservation Supervisor	\$2556.13
0100-7310-1812	Youth Conservation Part-Time	5047.93
0100-1010-4001	Office Supplies - Town Board	1500.00
0100-1670-1395	Part-Time Mail Clerk	976.50
0100-3120-2203	Typewriters - Police	95.20
0100-3120-2303	Police Vehicles	361.47

Item No. 16 continued

FROM: 0100-3120-4097	Special Investigations - DB	500.00
0100-3120-4099	Special Investigations - VGN	500.00
0100-3120-4508	Medical Expenses	380.00
TO: 0100-7310-1802	Youth Developmentally Disabled Camp	7604.06
0100-1010-2201	Office Equipment - Town Board	1500.00
0100-1625-1491	Building Maintenance-Part-Time Labor	976.50
0100-3120-2501	Police - Other Equipment	456.67
0100-3120-4009	Police - Scientific Unit Supplies	1380.00

Upon Roll Call....

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

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

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to October 18, 1991, are hereby approved and made a part hereof;

GENERAL FUND	\$1,458,872.06
HIGHWAY FUND	295,425.27
TRUST AND AGENCY	67,032.59
CDBG HUD FUND	117,136.49
PART TOWN FUND	29,577.01
RISK RETENTION FUND	137,171.56
STATE AHC FUND	5,609.60
HUD REHABILITATION FUND	25,738.00
SPECIAL DISTRICTS	1,096,804.55
CAPITAL FUND	579,752.80
DEBT SERVICE FUND	2,062.50
TOTAL	<u>\$3,815,182.43</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 18a Supervisor's Statement of Funds/May, 1991.
Received and Filed.

Item No. 18b Disaster Coordinator's Quarterly Report/July-September, 1991.
Received and Filed

Item No. 19a Minutes of Cheektowaga Library Board/September 26, 1991.
Received and Filed.

Item No. 19b Minutes of Cheektowaga Planning Board/September 12, 1991.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 20 Summons and Complaint: Robert Kuznicki as parent and natural guardian of Sandra Kuznicki, an infant 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. 21a Notice of Claim: David Percy 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. 21b Notice of Claim: Arlene Green 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. 22 Request to Speak: Joseph A. DiDomenico
Copies were sent to: Frank E. Swiatek, Supervisor; Town Board Members; Building Department; Assessor's Office;
Received and Filed.

* * * * *

Motion by Councilman Solecki Seconded by Councilman Blachowski to suspend the rules to include the following items and the voting was as follows:

Upon Roll Call....

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

* * * * *

V. SUSPENSION OF RULES

Item No. 23a Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga has been awarded a federal grant entitled "Town Wide Partnership - Stop Abuse of Drugs" from the U. S. Department of Health and Human Services, and

WHEREAS, it is necessary to amend the 1991 Town budget to include this grant, NOW, THEREFORE, BE IT

RESOLVED, that the Town's 1991 budget be amended by added there to the following:

0100-7320-0499	Federal Grant - Stop Abuse of Drugs	\$488,310.00
0100-7320-1000	Personal Services	150,700.00
0100-7320-2000	Equipment	12,000.00
0100-7320-4000	Contractual Expense	280,400.00
0100-7320-8000	Fringe Benefits	45,210.00

Upon Roll Call....

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

Item No. 23b Motion by Councilman Gabryszak Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga has been awarded a grant from the Local Government Records Management Improvement Fund in the amount of \$34,013.00, and,

WHEREAS, it is necessary to amend the 1991 Town budget to include this grant, NOW, THEREFORE, BE IT

RESOLVED, that the Town's 1991 budget be amended by adding thereto the following:

0100-1415-3500	N.Y. State Aid - Archive	\$34,013.00
0100-1415-1500	Senior Clerk	12,671.00
0100-1415-1600	Clerical Assistants	3,679.00
0100-1415-2000	Equipment	7,435.00
0100-1415-4001	Contractual Services	800.00
0100-1415-4500	Supplies & Equipment	6,238.00
0100-1415-4003	Travel	100.00
0100-1415-8000	Employee Benefits	1,824.00
0100-1415-9000	Indirect Cost Allocations	1,266.00

Upon Roll Call....

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

Item No. 24a Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, Robert D. Alonzo, agent for Benderson Development Co., Inc., has petitioned for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of property owned by Benderson Development Co., Inc. and located at 2150-2190 Walden Avenue, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 6th day of May, 1991 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Ordinance"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended denial thereof based on the following reasons:

1. Uses allowed in a CM-General Commercial District would detract from the existing retail business developments in the area.
2. Landscaping plan submitted by the applicant is inadequate.

NOW, THEREFORE, BE IT RESOLVED, that the application of Robert D. Alonzo for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby denied based on the following reasons:

1. Reasons stated by Cheektowaga Planning Board, as listed above.
2. Adverse effects CM uses would have on adjacent school district property.
3. Rezoning would not be in accordance with comprehensive planning or proper development in the Town.

* SEE LEGAL DESCRIPTION NEXT PAGE

Upon Roll Call....

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

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°40'23" West a distance of two hundred forty and ninety-five hundredths (240.95) feet to a point, thence South 00°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 southwesterly parallel with the southeasterly line of lands conveyed to said School District one hundred fifteen (115) feet to the point or place of beginning.

Item No. 24b Motion by Councilman Gabryszak Seconded by Councilman Solecki

WHEREAS, Robert D. Alonzo, agent for Benderson Development Co., Inc. applied for a Special Permit for automotive retail, including muffler shop on property located at 2150-2190 Walden Avenue, Cheektowaga, New York pursuant to Section 82-33 of the Code of the Town of Cheektowaga ("Zoning Ordinance"); said property being further described in the attached copy of the legal description thereto, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 6th day of May, 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 Cheektowaga Planning Board has reviewed such application and has recommended denial thereof based on the following reasons:

1. Automotive uses allowed in a CM-General Commercial District would detract from the existing retail business developments in the area.
2. Landscaping plan submitted by the applicant is inadequate.

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby is denied based on the following reasons.

1. Reasons stated by Cheektowaga Planning Board as listed above.
2. Adverse effects CM uses would have on adjacent school district property.
3. Granting of special permit would not be in accordance with comprehensive planning or proper development in the Town.
4. Property is not properly zoned.

* SEE LEGAL DESCRIPTION NEXT PAGE

Upon Roll Call....

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

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°40'23" West a distance of two hundred forty and ninety-five hundredths (240.95) feet to a point, thence South 00°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 southwesterly parallel with the southeasterly line of lands conveyed to said School District one hundred fifteen (115) feet to the point or place of beginning.

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

WHEREAS, bids were duly received by this Town Board at a public bid opening for the purchase of new trees for the William Street Beautification, Fall 1991 Planting, by the Cheektowaga Highway Department, as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

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

RESOLVED, that said monies be charged to line item 5005-8560-0700.

* SEE TABULATION NEXT PAGE

Upon Roll Call....

AYES: Councilmen Jaworowicz, Gabryszak, Solecki, Rogowski
and Blachowski

NAYES: 0

ABSENT: Supervisor Swiatek

SPECIFICATIONS AND BID SHEET FOR NEW TREES

TOWN OF CHEEKTOWAGA, NEW YORK.

1. All trees are to conform with the standards as set forth by the American Association of Nurserymen.
2. Trees are to arrive in a moist horticulturally satisfactory condition.
3. All trees are to be bald root.
4. Calipur of trees shall be measured at a point 6" above ground level. Calipur of all trees shall be 2" to 2½: diameter.
5. All trees must be branched.
6. F.O.B., 3145 Union Road, Cheektowaga NY 14227.
7. All trees shall be supplied to the Cheektowaga Highway Department during the 1991 calendar year.

<u>TYPE OF TREE</u>	<u>UNIT PRICE BID</u>
1. Greenspire Linden (Tilia cordata "Greenspire")	60.00
2. Skyline Locust	60.00
3. Columnar Norway Maple	60.00
4. Ivory Silk Japanese Maple	75.00

BID FORM

IMPORTANT: IT IS IMPORTANT THAT THIS BID FORM BE SIGNED AND THE NON-COLLUSIVE BIDDING CERTIFICATION ALSO BE SIGNED ACCORDING TO INSTRUCTIONS.

I, the undersigned, hereby offer to supply, the Town of Cheektowaga the items herein specified _____

at the prices indicated _____

SIGNED X [Signature] S. W. [Signature] President

COMPANY NAME AND TITLE Schichtel's Nursery, Inc. President

6745 Chestnut Ridge Rd.

Orchard Park, NY 14127

DATED _____

Item No. 26 Motion by Councilman Rogowski Seconded by Councilman Solecki

BE IT RESOLVED, that Lisa DeMont of Cheektowaga, New York, be and hereby is hired as a seasonal employee in the Town Clerk's Office, 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 24 weeks in a calendar year, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective immediately and the salary of \$9.116 per hour is to be invoiced through S.A.R.A. grant.

Upon Roll Call....

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

Item No. 27 Motion by Councilman Jaworowicz Seconded by Councilman Blachowski

WHEREAS, due to retirement, a permanent vacancy exists in the position of Animal Control Officer in the Police Department, AND

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

WHEREAS, Bernadette Futch bid on said position, was interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Bernadette Futch of , Depew, N.Y., 14043, be and hereby is appointed to the position of Animal Control Officer, effective October 22, 1991 and at a salary as setforth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 28 Motion by Councilman Rogowski and seconded by Councilman Gabryszak to adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk

SPECIAL MEETING NO. 23
October 28, 1991

Item No. 1 At a special 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 28th day of October, 1991 at 6:30 o'clock P.M., Eastern Standard Time there were:

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

Also present were: Richard M. Moleski, Town Clerk; Christopher Kowal, Superintendent of Highways; Bruce Chamberlin, Chief of Police; John J. Schaller, Assistant Chief of Police; Chester L. Bryan, Town Engineer; Kenneth Kopacz, Director of Youth & Recreational Services; John Molloy and Tom Mileski from Deloitte & Touche.

I. PUBLIC HEARINGS

Item No. 2 The Supervisor advised the Town Board that this was the time and place advertised for a public hearing to consider the adoption of the Preliminary Benefit Basis Budget of the Town of Cheektowaga, 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.

* The 1992 Preliminary Benefit Basis Budget is on file in the Town Clerk's Office.

The Supervisor then asked if anyone wished to speak either in favor or against the proposed Budget. Comments were heard. Decision was reserved. The hearing was closed.

Item No. 3 This being the time and place advertised for a Public Hearing on the estimates and revenues and expenditures for the year 1992 for the General Fund, Consolidated Garbage District and General Lighting Districts. The Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law. The Town Clerk then proceeded to read aloud the estimates of revenues and expenditures for the year 1992 for the General Fund, Consolidated Garbage District and General Lighting Districts.

* The 1992 Ad Valorem Budget is on file in the Town Clerk's Office.

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.

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 4th day of November, 1991 at 7:30 o'clock P.M., Eastern Standard Time there were:

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

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Bruce Chamberlin, Chief of Police; Ronald Marten, Building Inspector; Greg Joos, Coordinator of Employees Relations; Salvatore LaGreca, Chairman of Planning Board, and Leonard Szymanski, Facilities Foreman.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the following proposed matter to amend the "Peddlers and Hawkers Ordinance" 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:

1. RESOLVED, that the definition of the word "PEDDLER", as found in Section 51-2, shall be amended by adding thereto at the end thereof, the following wording:

The word "peddler" shall also include a person or corporation conducting transient business, as that term is defined in Section 85-a of the General Municipal Law, within the Town of Cheektowaga.

2. RESOLVED, that subsection H of Section 51-4 which relates to applications for permits, shall be amended by adding thereto at the end thereof the following wording:

", and, if applicable, (i) the address(es) or location(s) from which the applicant intends to peddle, and (ii) the name(s) and address(es) of the owner(s) of such property. If the applicant proposes to operate from an established location and the property is not owned by the applicant, the written consent of the owner to such hawking and peddling by the applicant must be attached to the application.

3. RESOLVED, that subsections A and B of Section 51-6, which pertains to fees for permits, shall be amended to read as follows:

- A. The fee for each person proposing to peddle, whether on foot, from a vehicle or otherwise shall be one hundred dollars (\$100.)
- B. The fee herein provided for shall be assessed on a six-month basis, but any such permit may be renewed for additional six month periods upon payment of additional fees. There shall be no pro-rating of or reduction in fees for fractional period of a six month period.

Item No. 2 continued

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 Rogowski, Seconded by Councilman Gabryszak

WHEREAS, Thomas D. Ziolkowski has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by Patricia Ann Smith and located on Fronckowiak Avenue at the east corner of Maischoss Street, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 21st day of October, 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. Prior approval of a drainage plan by the Town Engineer

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. Drainage plan be submitted to and approved by the Town Highway and Engineering Departments prior to the issuance of a building permit.
2. the architectural style must be similar to that represented to the committee, 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 Thomas D. Ziolkowski 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 subject to the conditions recommended by the Planning Board and the Environmental Advisory Committee, and BE IT FURTHER

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

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

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 Lot 84, Township 10, Range 7 of the Holland Land Survey, bounded and described as follows:

BEGINNING at a point in the northerly line of said Lot Number eighty-four (84), distant one thousand four hundred thirty-two and two hundredths (1432.02) feet easterly from the northwest corner of Lot Number eighty-three (83), Township ten (10), Range seven (7) as measured along the northerly lines of said Lots Numbers eighty-three (83) and eighty-four (84), draw a line, at a right angle, thirty-three (33) feet in length, extending to the southwest line of Fronckowiak Avenue, the intersection of said line with the said southwest line of Fronckowiak Avenue being the point or place of beginning, ~~thence southerly at right angles with the northerly~~ line of said Lot Number eighty-four (84), one hundred forty-five (145) feet to a point; thence easterly at a right angle, one hundred thirteen (113) feet to a point on a line dividing the property of Storey (see deed recorded May 22, 1931 in Liber 2163 of Deeds at page 436) from the property of Biernacki (see deed recorded in Liber 2045 of Deeds at page 598); thence northerly along said last-mentioned line, ninety-seven and one-half (97.5) feet to the southwest line of Fronckowiak Avenue; thence northwesterly along said southwest line of Fronckowiak Avenue one hundred twenty-two and fifty-six hundredths (122.56) feet to the point or place of beginning.

SURVEY
D. I.

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of November 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0
Motion by Councilman Rogowski and Seconded by Councilman Gabryszak

WHEREAS, Thomas D. Ziolkowski has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by Patricia Ann Smith and located on Fronckowiak Avenue at the east corner of Maischoss Street, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 21st day of October, 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. Prior approval of a drainage plan by the Town Engineer 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. Drainage plan be submitted to and approved by the Town Highway and Engineering Departments prior to the issuance of a building permit.

2. The architectural style must be similar to that represented to the committee, 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 Thomas D. Ziolkowski for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board, and BE IT FURTHER

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

ALL THAT TRACT OR PARCEL

OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 84, Township 10, Range 7 of the Holland Land Survey, bounded and described as follows:

BEGINNING at a point in the northerly line of said Lot Number eighty-four (84), distant one thousand four hundred thirty-two and two hundredths (1432.02) feet easterly from the northwest corner of Lot Number eighty-three (83), Township ten (10), Range seven (7) as measured along the northerly lines of said Lots Numbers eighty-three (83) and eighty-four (84), draw a line, at a right angle, thirty-three (33) feet in length, extending to the southwest line of Fronckowiak Avenue, the intersection of said line with the said southwest line of Fronckowiak Avenue being the point or place of beginning, thence southerly at right angles with the northerly line of said Lot Number eighty-four (84), one hundred forty-five (145) feet to a point; thence easterly at a right angle, one hundred thirteen (113) feet to a point on a line dividing the property of Storey (see deed recorded May 22, 1931 in Liber 2163 of Deeds at page 436) from the property of Biernacki (see deed recorded in Liber 2045 of Deeds at page 598); thence northerly along said last-mentioned line, ninety-seven and one-half (97.5) feet to the southwest line of Fronckowiak Avenue; thence northwesterly along said southwest line of Fronckowiak Avenue one hundred twenty-two and fifty-six hundredths (122.56) feet to the point or place of beginning.

Upon roll call.....
Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Rogowski Voting AYE
Councilman Solecki Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0
STATE OF NEW YORK
COUNTY OF ERIE
I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on November 4, 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 3a, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of November, 1991.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 7, 1991

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.....November 7, 1991.....;
last publication.....November 7, 1991.....;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....
Sworn to before me this7th.....
day ofNovember....., 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

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

WHEREAS, Wayne F. Jendrasik has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by him and located at 64 Hedley Street, 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 7th day of October, 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. The RA zoning should be restricted to the existing property and no additional units may be added to this dwelling, 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 Wayne F. Jendrasik for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned condition recommended by the Cheektowaga Planning Board, and BE IT FURTHER

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

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

This Indenture,

Made the *June* *26* day of
Nineteen Hundred and Ninety-One
Between

MARIE E. SIEKIERSKI, individually and as sole surviving spouse of EDMUND C. SIEKIERSKI
Cheektowaga, New York 14206,

part Y of the first part, and
WAYNE F. JENDRASIK,
Cheektowaga, New York 14206,

Witnesseth, that the part Y of the first part, in consideration of part Y of the second part,
One and More
Dollars (\$1.00 & More

lawful money of the United States,
paid by the part Y of the second part, does hereby grant and release unto the part Y of the
second part, His Heirs and assigns forever,

All that Tract or Parcel of Land, situate in the Town of Cheektowaga,
County of Erie, State of New York, being part of Great Lot Nos. ~~Seventy-Two (72)~~
~~and~~ Seventy-Three (73), in Township Ten (10), of the Seventh (7th) Range of the
Buffalo Creek Indian Reservation so-called and being the South Two (2) feet of
Subdivision Lot No. Thirty-One (31) and all of Subdivision Lot Nos. Thirty-Two (32)
Thirty-Three (33), and Thirty-Four (34) in Block No. Two (2) in a subdivision map
of said Lot Nos. Seventy-Two (72) and Seventy-Three (73), made by William J. White,
Surveyor, and filed in Erie County Clerk's Office under map cover no. 311, to which
reference is hereby made for greater certainty, and being situate on the Westerly
side of Hedley Street.

Qty 73 10/7 \$32 + 2311

SENIOR CITIZEN EXEMPTION

RECEIVED
\$ 26,800.
REAL ESTATE
24745
JUN 26 1991
TRANSFER TAX
ERIE
COUNTY

Kg
5500

CITIZEN BANK

91-4731 B

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of November 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0
Motion by Councilman Rogowski and Seconded by Councilman Blachowski

WHEREAS, Wayne F. Jendrasik has petitioned for the rezoning from R-Residential District to RA-Apartment District of property owned by him and located at 64 Hedley Street, 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 7th day of October, 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. The RA zoning should be restricted to the existing property and no additional units may be added to this dwelling, 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 Wayne F. Jendrasik for the rezoning from R-Residential District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted subject to the aforementioned condition recommended by the Cheektowaga Planning Board, and **BE IT FURTHER**

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

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Great Lot Seventy-Three (73), in Township Ten (10), of the Seventh (7th) Range of the Buffalo Creek Indian Reservation so-called and being the South Two (2) feet of Subdivision Lot No. Thirty-One (31) and all of Subdivision Lot Nos. Thirty-Two (32) Thirty-Three (33), and Thirty-Four (34) in Block No. Two (2) in a subdivision map of said Lot Nos. Seventy-Two (72) and Seventy-Three (73) made by William J. White, Surveyor, and filed in Erie County Clerk's Office under map cover no. 311, to which reference is hereby made for greater certainty, and being situate on the Westerly side of Hedley Street.

Upon roll call.....
Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Rogowski Voting AYE
Councilman Solecki Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0
STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on November 4, 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 3b, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of November, 1991.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 7, 1991

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) isclerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication.....November 7, 1991.....; last publication.....November 7, 1991.....; and that no more than six days intervened between publications.

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

Sworn to before me this7th.....

day ofNovember....., 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

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

WHEREAS, Sonwil Distribution Center, Inc. has petitioned for the rezoning from R-Residential District and RA-Apartment District to M1-Light Manufacturing District of property owned by Industrial V of Western New York and located at the terminus of Sonwil Drive, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of October, 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, based on certain commitments made by the petitioner herein, this Town Board, by resolution dated September 16, 1991, issued a negative declaration under the State Environmental Quality Review Act for this rezoning, and

WHEREAS, comments made at the public hearing on this rezoning were favorable to such rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the application of Sonwil Distribution Center, Inc. for the rezoning from R-Residential District and RA-Apartment District to M1-Light Manufacturing District of the property specified in the attached legal description be and the same hereby is granted subject to the following conditions:

1. The Developer must present plans for each phase of construction or development of the site.
2. Prior to the issuance of building permits, the U.S. Army Corps of Engineers shall issue a determination regarding the effect of the wetlands upon the Project (and vice versa).
3. Should the Developer not begin construction or any development of the site within one year of the approval of the rezoning, the rezoning will be considered null and void.
4. The emergency access road (extension of Airport Drive) is to be installed by Developer at Developer's expense at a time mutually agreed upon between the Developer and Hy-View Fire District.
5. The existing private roadway known as Sonwil Drive (from Genesee Street to its terminus at the southerly property line of Sonwil Distribution Center's property), and the new sections of Sonwil Drive be constructed at Developer's expense to Town specifications and be dedicated to the Town prior to the issuance of any building permits for development of the Project site.
6. All utilities be installed or their installation be "guaranteed" prior to the issuance of any building permit.
7. Any revisions to the plot plan/concept plan submitted by the petitioner must comply with Section 82-71 of the Zoning Ordinance.
8. Landscaping must be approved by the Planning Board.

and, BE IT FURTHER

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

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

October 29, 1990

PROPOSED RE-ZONING
RA to M-1

ALL THAT CERTAIN PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 11, and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the southerly line of said Lot 74, where same is intersected by the easterly line of that parcel of land described and designated Parcel No. 3 in Deed from New York State Realty and Terminal Company; Predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the Office of the Clerk of said County of Erie in Liber 1970 of Deeds, at page 156; and running thence northerly, along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, said line also being the westerly line of lands described in a Deed to Lawrence Reger et al, recorded in the Erie County Clerks Office in Liber 7438 of Deeds at page 233, 1184.47 feet to the northwest corner of said land conveyed to Reger pursuant to the aforesaid Deed to the principal POINT OF BEGINNING; thence 1370.43 feet along the east line of Parcel 3 in the aforesaid Deed to New York Central Railroad Company to a jog or offset therein; thence easterly and at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, 844.82 feet to the northeasterly corner thereof; thence easterly along the northerly line of Lot 74, 344.16 feet, more or less, to the easterly line of that parcel of land described in Deed from Catherine Gangloff (also known as Katharina Gangloff) to New York State Realty and Terminal Company, dated July 1, 1925, recorded in the Office of the Clerk of said County of Erie in Liber 1691 of Deeds, at page 244; said line also being the west line of lands conveyed by deed from Ross Wagner to Conthru, Inc. dated December 15, 1986 recorded in the Office of the Erie County Clerk in Liber 9688 of Deeds of page 474 on December 31, 1986; thence southerly along the easterly line of that parcel of land described in Deed from Catherine Gangloff to New York State Realty and Terminal company dated and recorded as aforesaid, 2213.67 feet to a point in the north line of the Deed to Lawrence Reger et al recorded as aforesaid; thence westerly along the aforesaid northerly line of Reger's land 159.42 feet to the principal POINT AND PLACE OF BEGINNING.

Containing 12.96 more or less acres.

October 29, 1990

PROPOSED RE-ZONING
R to M1

ALL THAT CERTAIN PLOT, PIECE, PARCEL OF LAND situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 74, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of the Town of Cheektowaga with the east line of lands conveyed to Edward Mader, Jr. by Deed recorded in Erie County Clerk's Office in Liber 6965 of Deeds at page 349; thence northerly along the east line of said lands 2213.67 feet to the north line of said Lot No. 74; thence easterly along the north line of said lot, 196.68 feet to the east line of lands conveyed to Louis Maigret by Deed recorded in Erie County Clerk's Office in Liber 93 of Deeds at page 472; thence southerly along the east line of said lands 2217.32 feet to the south line of the Town of Cheektowaga; thence westerly along the south line of said Town 196.68 feet to the POINT OR PLACE OF BEGINNING.

Containing 10.00 acres more or less.

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 November 7, 1991;
last publication November 7, 1991;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this 7th

day of November, 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 4th day of November 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by Councilman Blachowski and Seconded by Supervisor Swiatek

WHEREAS, Sonwil Distribution Center, Inc. has petitioned for the rezoning from R-Residential District and RA-Apartment District to M1-Light-Manufacturing District of property owned by Industrial V of Western New York and located at the terminus of Sonwil Drive, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of October, 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, based on certain commitments made by the petitioner herein, this Town Board, by resolution dated September 16, 1991, issued a negative declaration under the State Environmental Quality Review Act for this rezoning, and

WHEREAS, comments made at the public hearing on this rezoning were favorable to such rezoning.

NOW, THEREFOR, BE IT RESOLVED, that the application of Sonwil Distribution Center, Inc. for the rezoning from R-Residential District and RA-Apartment District to M1-Light Manufacturing District of the property specified in the attached legal description be and the same hereby is granted subject to the following conditions:

1. The Developer must present plans for each phase of construction or development of the site.
2. Prior to the issuance of building permits, the U.S. Army Corps of Engineers shall issue a determination regarding the effect of the wetlands upon the Project (and vice versa).
3. Should the Developer not begin construction or any development of the site within one year of the approval of the rezoning, the rezoning will be considered null and void.
4. The emergency access road (extension of Airport Drive) is to be installed by Developer at Developer's expense at a time mutually agreed upon between the Developer and Hy-View Fire District.
5. The existing private roadway known as Sonwil Drive (from Genesee Street to its terminus at the southerly property line of Sonwil Distribution Center's property), and the new sections of Sonwil Drive be constructed at Developer's expense to Town specifications and be dedicated to the Town prior to the issuance of any building permits for development of the Project site.
6. All utilities be installed or their installation be "guaranteed" prior to

the issuance of any building permit.

7. Any revisions to the plot plan/concept plan submitted by the petitioner must comply with Section 82-71 of the Zoning Ordinance.

8. Landscaping must approved by the Planning Board.

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

**PROPOSED RE-ZONING
RA-M1**

ALL THAT CERTAIN PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 74, Township 11, and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the southerly line of said Lot 74, where same is intersected by the easterly line of that parcel of land described and designated Parcel No. 3 in Deed from New York State Realty and Terminal Company; Predecessor of the Grantor, to the New York Central Railroad Company, dated December 24, 1927, recorded in the Office of the Clerk of said County of Erie in Liber 1970 of Deeds, at page 156; and running thence northerly, along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid, said line also being the westerly line of lands described in a Deed to Lawrence Reger et al, recorded in the Erie County Clerks Office in Liber 7438 of Deeds at page 233, 1184.47 feet to the northwest corner of said land conveyed to Reger pursuant to the aforesaid Deed to the principal POINT OF BEGINNING; thence 1370.43 feet along the east line of Parcel 3 in the aforesaid Deed to New York Central Railroad Company to a jog or offset therein; thence easterly and at right angles to the last course along said jog or offset, 30 feet; thence northerly, continuing along the easterly line of that parcel of land described and designated Parcel No. 3 in Deed dated and recorded as aforesaid 844.82 feet to the northeasterly corner thereof; thence easterly along the northerly line of Lot 74, 344.16 feet, more or less, to the easterly line of that parcel of land described in Deed from Catherine Gangloff (also known as Katharina Gangloff) to New York State Realty and Terminal Company, dated July 1, 1925, recorded in the Office of the Clerk of said County of Erie in Liber 1691 of Deeds, at page 244; said line also being the west line of lands conveyed by deed from Ross Wagner to Conthru, Inc. dated December 15, 1986 recorded in the Office of the Erie County Clerk in Liber 9688 of Deeds of page 474 on December 31, 1986; thence southerly along the easterly line of that parcel of land described in Deed from Catherine Gangloff to New York State Realty and Terminal company dated and recorded as aforesaid, 2213.67 feet to a point in the north line of the Deed to Lawrence Reger et al recorded as aforesaid; thence westerly along the aforesaid northerly line of Reger's land 159.42 feet to the principal POINT AND PLACE OF BEGINNING.

Containing 12.96 more or less acres.

**PROPOSED RE-ZONING
R TO M1**

ALL THAT CERTAIN PLOT, PIECE, PARCEL OF LAND situate, lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 74, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of the Town of Cheektowaga with the east line of lands conveyed to Edward Mader, Jr. by Deed recorded in Erie County Clerk's Office in Liber 6965 of Deeds at page 349; thence northerly along the east line of said lands 2213.67 feet to the north line of said Lot No. 74; thence easterly along the north line of said lot, 196.68 feet to the east line of lands conveyed to Louis Mairget by Deed recorded in Erie County Clerk's Office in Liber 93 of Deeds at page 472; thence southerly along the east line of said lands 2217.32 feet to the south line of the Town of Cheektowaga; thence westerly along the south line of said Town 196.68 feet to the POINT OR PLACE OF BEGINNING.

Containing 10.00 acres more or less.

Upon roll call.....

Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE

Councilman Jaworowicz Voting AYE

Councilman Gabryszak Voting AYE

Councilman Rogowski Voting AYE

Councilman Solecki Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0

**STATE OF NEW YORK
COUNTY OF ERIE**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on October 21, 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 21st day of October, 1991.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: November 7, 1991

NO. 25

NO. 26

NO. 27

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

WHEREAS, Empire Auto & Plate Glass applied for a Special Permit for auto glass installation on property located at 2368 Genesee 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

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of October, 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 Cheektowaga Planning Board has recommended approval of the Special Permit, subject to the following conditions:

1. The use of this parcel be restricted only to the installation of auto glass.
2. If a dumpster is installed and is in view of the public, such dumpster must be fenced and landscaped.
3. Landscaping must be approved by Planning Board

and

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the Special Permit for the above-referenced property located at 2368 Genesee Street, and has rendered a determination that the Special Permit will not have a significant effect on the environment subject to the following conditions:

1. The facility be limited to two (2) bays.
2. The use of this parcel be for the installation of auto glass only.
3. The business be operated only on Mondays through Saturdays, from 8:00 A.M. to 7:00 P.M.
4. All installation of auto glass be conducted within the two (2) bays; no outside installation allowed.

and,

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

NOW, THEREFORE, BE IT RESOLVED, that said Special Permit be and hereby is granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Environmental Advisory Committee.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

and assigns forever, all THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 34, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed under Cover No. 597 is known as Subdivision Lots Nos. 5, 6, 7, 8, 9 and 10.

AND ALSO

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 34, Township 11, Range 7, of the Holland Land Company's Survey, and according to a Map filed in the Erie County Clerk's Office under Map Cover No. 597, is known as Subdivision Lot Nos. 3 and 4, and being 63.74 feet front; 60.24 feet rear by 133.36 feet in depth; on the west line, 112.52 feet in depth on the east line, situate on the north side of Genesee Street, and commencing 63.74 feet east of Andrews Avenue, as shown on said Map.

THIS DEED is being recorded since the Grantor herein is being dissolved and the Grantees herein are the sole stockholders and principal parties of said corporation.

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

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of November, 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0
Motion by Councilman Rogowski and Seconded by Councilman Blachowski

WHEREAS, Empire Auto & Plate Glass applied for a Special Permit for auto glass installation on property located at 2368 Genesee 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

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of October, 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 Cheektowaga Planning Board has recommended approval of the Special Permit subject to the following conditions:

1. The use of this parcel be restricted only to the installation of auto glass.
2. If a dumpster is installed and is in view of the public, such dumpster must be fenced and landscaped.
3. Landscaping must be approved by Planning Board.

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 2368 Genesee Street, and has rendered a determination that the Special Permit will not have a significant effect on the environment subject to the following conditions:

1. The facility be limited to two (2) bays.
2. The use of this parcel be for the installation of auto glass only.
3. The business be operated only on Mondays through Saturdays, from 8:00 A.M. to 7:00 P.M.
4. All installation of auto glass be conducted within the two (2) bays; no outside installation allowed.

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

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board and the Environmental Advisory Committee.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and

State of New York, being part of Lot No. 34, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed under Cover No. 597 is known as Subdivision Lots Nos. 5, 6, 7, 8, 9 and 10.

AND ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 34, Township 11, Range 7, of the Holland Land Company's Survey, and according to a Map filed in the Erie County Clerk's Office under Map Cover No. 597, is known as Subdivision Lots Nos. 3 and 4, and being 63.74 feet front 60.24 feet rear by 133.36 feet in depth; on the west line, 112.52 feet in depth on the east line, situate on the north side of Genesee Street, and commencing 63.74 feet east of Andrews Avenue, as shown on said Map.

THIS DEED is being recorded since the Grantor herein is being dissolved and the Grantees herein are the sole stockholders and principal parties of said corporation.

Upon roll call.....
Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Rogowski Voting AYE
Councilman Solecki Voting AYE

AYES: 6
NAYES: 0
ABSENT: 0
STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on November 4, 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 3d, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of November, 1991.

RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 7, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for weeks; first publication November 7, 1991; last publication November 7, 1991; and that no more than six days intervened between publications.

Melanie Wolf
Sworn to before me this 7th day of November, 1991.
Margaret J. Spurdette
Notary public in and for Erie County, N. Y.

Item No. 3e 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, 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.....November 7, 1991;
last publication.....November 7, 1991;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this7th.....

day ofNovember....., 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
COMMISSION EXPIRES 12/31/92

1. A regular meeting of the Board of the Town of Cheektowaga, located in the County of Erie, State of New York, was duly held on November 4, 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 4th day of November 4, 1991.

RICHARD M. MOLESKI
Town Clerk

NO. 25
NO. 26
NO. 27

LEGAL NOTICE
EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of November 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: 0

Motion by Councilman Rogowski and Seconded by Councilman Gabryszak

WHEREAS, this Town Board held a public hearing on October 21, 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:

The following intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Glenwood Ct. east-west leg	East-west	Glenwood Ct. north-south leg	Northbound	S.E. Corner
Baywood Dr.	East-west	Knollwood Drive	Northbound	S.E. 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 adding thereto the following:

B. No Parking anytime

AUTUMNWOOD DRIVE south side from the west curbline of Borden Road to the east edge of the driveway at No. 19 Autumnwood Drive, a distance of 225 feet

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 Blachowski Voting AYE
Councilman Jaworowicz Voting AYE
Councilman Gabryszak Voting AYE
Councilman Rogowski Voting AYE
Councilman Solecki Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

STATE OF NEW YORK

COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on November 4, 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 3e, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of November 4, 1991.

RICHARD M. MOLESKI
Town Clerk

Item No. 4a 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 November 18, 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 7th day of November, 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 November 18, 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 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>
Wedgewood Drive	North-South	Baywood Drive	Westbound	N.E. 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 adding thereto the following:

B. No parking anytime

BARBADOS DRIVE	south side of the southerly east-west leg	from 75 feet westerly of the curbline of Barbados Drive north-south leg, thence easterly around the curb and southerly 75 feet + to the south property line of 263 Barbados
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY,
NEW YORK.

Richard M. Moleski
Town Clerk

Dated: November 4, 1991

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.....November 7, 1991.....
 last publication.....November 7, 1991.....;
 and that no more than six days intervened be-
 tween publications.

Melanie Wolf

Sworn to before me this7th.....
 day ofNovember....., 19..91.

Margaret J. Bourdette

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

BY COMMISSION EXPIRES 12/31/91

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, corner of Broadway and Union Road, in said Town of Cheektowaga on November 18, 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 intersection is designated as a stop intersection and stop signs shall be erected on the following entrance street:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
Wedgewood Drive	North-south	Baywood Drive	Westbound	N.E. 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 adding thereto the following:

B. No parking anytime BARBADOS DRIVE	south side of the southerly east-west leg	from 75 feet westerly of the curblime of Barbados Drive north-south leg, thence easterly around the curb and southerly 75 feet +/- to the south property line of 263 Barbados
-----------------------------------------	-------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

Dated: November 4, 1991
 RICHARD M. MOLESKI
 Town Clerk

PUBLISH: November 7, 1991

Item No. 4b Motion by Councilman Rogowski, Seconded by Supervisor Swiatek

WHEREAS, the present Zoning Ordinance, Master Plan and Zoning Maps of the Town of Cheektowaga were originally adopted in 1969, and

WHEREAS, since such adoption, various changes to such ordinance and maps have been made, and

WHEREAS, by resolution dated July 2, 1990 this Town Board retained the services of The Saratoga Associates to assist the Town in the preparation of an updated Master Plan, Zoning Law and Zoning Maps, and

WHEREAS, the Town's Master Plan Steering Committee, composed of the Building Inspector, the Planning Board Chairman and various other Town employees has spent a great deal of time reviewing the present Zoning Maps, Master Plan and Zoning Ordinance and has recommended a number of changes to such documents, and

WHEREAS, this Board has reviewed these newly prepared documents and feels it would be in the Town's best interests to adopt same, NOW, THEREFORE, BE IT

RESOLVED, that, in accordance with the provisions of the Municipal Home Rule Law of the State of New York, a public hearing be held on the 26th day of November, 1991 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard; and at which time it may be determined by the Town Board whether to adopt a new Master Plan, Zoning Maps and A Local Law Relating to Zoning, and BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, the official Town newspaper on November 14, 1991.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

NOTICE OF HEARING ON PROPOSAL
TO ADOPT A REVISED COMPREHENSIVE MASTER PLAN, NEW ZONING MAPS
AND A LOCAL LAW FOR ZONING FOR THE TOWN OF CHEEKTOWAGA

NOTICE IS HEREBY GIVEN that, pursuant to the laws of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 26th day of November, 1991 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the repeal of the existing Town of Cheektowaga Comprehensive Master Plan, Zoning Maps and Zoning Ordinance, and the proposal to adopt a revised Comprehensive Master Plan, Zoning Maps and Local Law Intro No. 91-5, entitled "A Local Law for Zoning for the Town of Cheektowaga." A brief description of Local Law Intro No. 91-5 is as follows:

Town of Cheektowaga

A Local Law for Zoning for the Town of Cheektowaga

A local law establishing revised rules and regulations for the control, by means of zoning, of residential, commercial, manufacturing and other uses within the Town of Cheektowaga.

Many of the rules and regulations which are part of the present Town Zoning Ordinance and Zoning Maps will remain the same. Changes to the existing zoning rules and regulations include, but are not limited to the following:

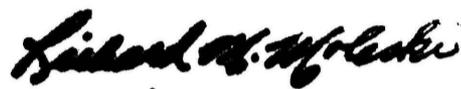
- Creation of a RS - Single Residential District
- Creation of a RC - Residential Cluster District
- Creation of a RMH - Residential Mobile Home District
- Creation of a NS - Neighborhood Services District
- Creation of a MS - Motor Service District
- Creation of a CF - Community Facilities District
- Updating of off-street parking regulations and specifications,
- Junk motor vehicle regulations have been improved
- Sign regulations have been clarified
- A tree preservation section has been added
- Elimination of much of the pyramiding (allowing more restrictive uses in a less restrictive use district)
- Provision made for more open space and development control
- Control of temporary outdoor sales/displays
- Protection of residential properties from business and manufacturing

A copy of the complete text and versions of the above referenced Comprehensive Master Plan, Zoning Map(s) and A Local Law for Zoning for the Town of Cheektowaga shall be on file in the Town Clerk's Office and at the following locations:

1. Reinstein Memorial Library, 2580 Harlem Road
2. North Branch Library, 735 Maryvale Drive
3. South Branch Library, 2660 William Street
4. Kelly Park Library, 27 Kelly Drive

where the same may be examined during regular business hours.

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



RICHARD M. MOLESKI
Town Clerk

**LEGAL NOTICE
 NOTICE OF HEARING ON
 PROPOSAL
 TO ADOPT A REVISED
 COMPREHENSIVE MASTER
 PLAN, NEW ZONING MAPS
 AND A LOCAL LAW FOR
 ZONING FOR THE TOWN OF
 CHEEKTOWAGA**

NOTICE IS HEREBY GIVEN that, pursuant to the laws of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 26th day of November, 1991 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the repeal of the existing Town of Cheektowaga Comprehensive Master Plan, Zoning Maps and Zoning Ordinance, and the proposal to adopt a revised Comprehensive Master Plan, Zoning Maps and Local Law Intro No. 91-5, entitled "A Local Law for Zoning for the Town of Cheektowaga." A brief description of Local Law Intro No. 91-5 is as follows:

Town of Cheektowaga
 A Local Law for Zoning for the Town of Cheektowaga.

A local law establishing revised rules and regulations for the control, by means of zoning, of residential, commercial, manufacturing and other uses within the Town of Cheektowaga.

Many of the rules and regulations which are part of the present Town Zoning Ordinance and Zoning Maps will remain the same. Changes to the existing zoning rules and regulations include, but are not limited to the following:

- Creation of a RS—Single Residential District
- Creation of a RC—Residential Cluster District
- Creation of a RMH—Residential Mobile Home District
- Creation of a NS—Neighborhood Services District
- Creation of a MS—Motor Service District
- Creation of a CF—Community Facilities District
- Updating of off-street parking regulations and specifications
- Junk motor vehicle regulations have been improved
- Sign regulations have been clarified
- A tree preservation section has been added
- Elimination of much of the pyramiding (allowing more restrictive uses in a less restrictive use district)
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4. Kelly Park Library, 27 Kelly Drive

where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
 Town Clerk
 PUBLISH: November 14, 1991

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) isclerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks; first publication.....November 14, 1991; last publication.....November 14, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this14th.....

day ofNovember....., 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 HEARING ON
PROPOSAL
TO ADOPT A REVISED
COMPREHENSIVE MASTER
PLAN, NEW ZONING MAPS
AND A LOCAL LAW FOR
ZONING FOR THE TOWN OF
CHEEKTOWAGA**

NOTICE IS HEREBY GIVEN that, pursuant to the laws of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 26th day of November, 1991 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the repeal of the existing Town of Cheektowaga Comprehensive Master Plan, Zoning Maps and Zoning Ordinance, and the proposal to adopt a revised Comprehensive Master Plan, Zoning Maps and Local Law Intro No. 91-5, entitled "A Local Law for Zoning for the Town of Cheektowaga." A brief description of Local Law Intro No. 91-5 is as follows:

Town of Cheektowaga
A Local Law for Zoning for the Town of Cheektowaga.

A local law establishing revised rules and regulations for the control, by means of zoning, of residential, commercial, manufacturing and other uses within the Town of Cheektowaga.

Many of the rules and regulations which are part of the present Town Zoning Ordinance and Zoning Maps will remain the same. Changes to the existing zoning rules and regulations include, but are not limited to the following:

- Creation of a RS—Single Residential District
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- Creation of a MS—Motor Service District
- Creation of a CF—Community Facilities District
- Updating of off-street parking regulations and specifications
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- Provision made for more open space and development control
- Control of temporary outdoor sales/displays
- Protection of residential properties from business and manufacturing

A copy of the complete text and versions of the above referenced Comprehensive Master Plan, Zoning Map(s) and A Local Law for Zoning for the Town of Cheektowaga shall be on file in the Town Clerk's Office and at the following locations:

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2. North Branch Library, 735 Maryvale Drive
3. South Branch Library, 2660 William Street
4. Kelly Park Library, 27 Kelly Drive

where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: November 7, 1991

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) isClerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication.....November 7, 1991; last publication.....November 7, 1991; and that no more than six days intervened between publications.

.....Melanie Wolf.....
7th

Sworn to before me this7th.....

day ofNovember....., 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

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

WHEREAS, Wegmans Food Markets, Inc. is the developer of property located at 2001 Walden Avenue in the Town, and

WHEREAS, by resolution dated September 4, 1990, this Town Board approved an environmental review of the proposal made by Wegman's Food Markets, Inc. (the "Developer") to develop this property, and

WHEREAS, prior to receipt of the certificate of occupancy for the food market, the Developer committed itself to performing certain work on Duke Road and to conveying land and an easement to the Town for highway purposes, and

WHEREAS, the Duke Road work has been completed to the satisfaction of the Highway Superintendent and he has recommended that such road work be accepted by this Town Board, and

WHEREAS, the necessary deed, easement and maintenance bond have been reviewed and approved by the Town Attorney and the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the Duke Road work and the deed, easement and maintenance bond for this project, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file the deed and easement in the Erie County Clerk's Office.

Upon Roll Call....

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

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

WHEREAS, Laurice Boehmer and Bernard DiPizio, as part of the acceptance of the Oakwood Estates Subdivision and as a prerequisite to the construction of buildings on Patricia Lane in such subdivision, have submitted the following papers for acceptance by the Town.

1. Warranty Deed for a portion of Patricia Lane
2. Drainage easement for sublots in such subdivision

and the Town Highway Superintendent, in the attached letter dated November 1, 1991, has recommended that the portion of Patricia Lane in the Oakwood Estates Subdivision be accepted by this Town Board, and

Laurice Boehmer and Bernard DiPizio have also submitted a maintenance bond for that portion of Patricia Lane, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned deed, easement and maintenance bond be and hereby are accepted by this Town Board, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file the deed and easement in the Erie County Clerk's Office.

Upon Roll Call....

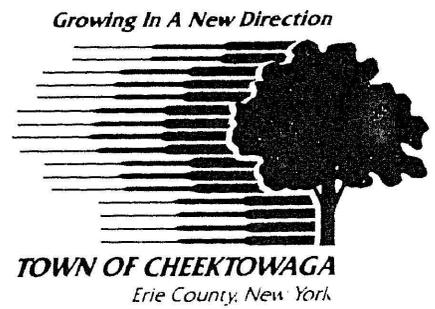
AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Highway Department

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

Christopher J. Kowal
Superintendent of Highways



November 1, 1991

SUPERVISOR FRANK E SWIATEK
TOWN BOARD MEMBERS
Cheektowaga NY 14227

Re: Oakwood Estates Subdivision

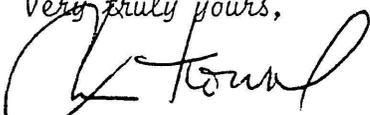
Dear Town Board Members:

Please be advised that timely and effective inspections during all phases of construction have been performed by my Engineer, Ted Skowron, and myself; and we find that the above named subdivision conforms to the current standards of the Town of Cheektowaga and we recommend acceptance.

The deed is in the Town Attorney's Office for approval and filing. The maintenance bond is in an amount commensurate with the provisions of the Town's P.I.P. Ordinance. The bond is in the Town Attorney's office for approval. A street lighting agreement is being provided. Drainage easements are to be filed.

Trusting this meets with your approval, I remain

Very truly yours,



Christopher J. Kowal
Highway Superintendent

CJK:erp

cc: Town Engineer
Town Attorney
Town Clerk
Building Inspector
Highway Engineer

Residence: 260 Cass Ave. * Cheektowaga, New York 14227 * 716 / 895-7185
Promoting Pride - Progress - Professionalism!

Item No. 6 Motion by Councilman Rogowski, 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 October 18, 1991, rendered the determinations shown on the attached memo dated October 18, 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 October 18, 1991 memo attached hereto:

Item I

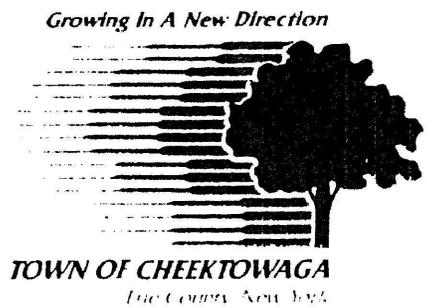
65 Innsbruck Drive

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Office of Building & Plumbing Inspections
Cheektowaga Town Hall
Broadway & Union Road
Cheektowaga, New York 14227
716 / 686-3470



M E M O

RECEIVED

OCT 22 1991

TOWN ATTORNEY

TO: Supervisor Frank Swiatek
Honorable Town Board Members
Richard Moleski, Town Clerk
James Kirisits, Town Attorney

FROM: Thomas Adamczak
Building Inspector

DATE: October 18, 1991

The following is a summary of the proposals which have been reviewed by the Town Environmental Quality Review Advisory Committee at a meeting held on October 18, 1991, in the Town Hall Council Chambers.

ITEM I 65 Innsbruck - Proposed Warehouse

Applicant: Gary Castine

Determination: Non-Significant.

The applicant, who had been before the committee a number of times, has submitted a new plan which shows existing conditions as well as location of the new building. In addition to the site plan, a elevation drawing had been submitted to show to the committee the styling of the building.

The building to be constructed will be similar in appearance to the existing building. The applicant submitted photographs of the existing building and landscaping to give the committee an idea of the coloring and architectural styling of the building.

The Planning Board had approved the landscaping plan at their October meeting.

The committee deemed this project to be non-significant in that it will be similar to existing uses in the Industrial Park, such as light manufacturing and warehousing, and will be in compliance with all Zoning Ordinance regulations.

Item No. 7 Motion by Councilman Rogowski, Seconded by Councilman Blachowski

BE IT RESOLVED, that New York State Electric & Gas Corporation be and hereby is authorized to install a 20 foot street lighting bracket on William Street, at an annual increase to the General Lighting District of \$22.97 in accordance with the attached New York State Electric & Gas proposal dated October 23, 1991.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT



October 23, 1991

STREET LIGHTING PROPOSAL

TOWN OF CHEEKTOWAGA

William St.

Install - 20 ft. bracket @ \$22.97 ea. = \$ 22.97
Pole - 178
Due to pole relocation, additional length is needed.

Total Annual Increase = \$ 22.97

(This proposal is made contingent upon the terms and conditions covered in NYSEG's street lighting filed tariff agreement with the Town of Cheektowaga)

An Equal Opportunity Employer

New York State Electric & Gas Corporation 150 Erie Street, Lancaster, NY 14086-1998 (716) 684-9800

Item No. 8 Support for Advisory Petition Instructing Treasury Department to Create and Issue Interest-Free Loans to Tax-Supported Bodies
This item has been withdrawn.

Item No. 9 Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, on September 16, 1991 the Sewer Maintenance Department notified the Engineering Department of a 12" vitrified tile pipe sewer collapse at the intersection of East Delavan Avenue and Preston Road, AND

WHEREAS, it was necessary to contact an outside contractor to perform this repair due to the fact that this incident exceeded the normal maintenance capabilities of our Sewer Maintenance Department, AND

WHEREAS, the Town Engineer delegated Tom Greenauer Development to make this dangerous repair utilizing the 1991 Town Equipment and Operators bid agreement, NOW, THEREFORE, BE IT

RESOLVED, that payment to affect the sewer repair as submitted by Tom Greenauer Development in the total amount of \$13,129.39 for labor, equipment and materials, as outlined in the attached memo, be and hereby is accepted and approved for payment, AND, BE IT FURTHER

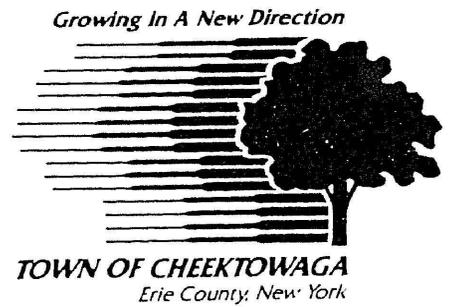
RESOLVED, that payment for said emergency repair be made from Sanitary Sewer District #5, Account #2500-8125-4438.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

Chester L. Bryan, P.E.
Town Engineer



TO: Chet Bryan, P.E.
Town Engineer

FROM: Rudy Bogacki
Principal Engineer Asst.

DATE: October 30, 1991

RE: Emergency Sanitary Sewer Repair
E. Delavan @ Preston

Bob Osuch, Asst. Foreman of the Sewer Maintenance Dept., notified Jim Burst of a deep sinkhole on Preston Road near the side of Goetz Floral Shop. Jim Burst could not do the repair because of the depth, utility lines and closeness to a building. As per your instructions of September 23, 1991, I contacted the Town's contractor, Tom Greenauer Development, who got the 1991 bid award, to prepare a crew to perform the needed repair on our 12" V.T.P. next to Goetz Florists. I immediately contacted Norm Merriman, Contractor Foreman, and we set up an appointment for a site meeting to discuss the needed men and equipment to effect this repair.

This has been the second repair I have done at this particular intersection. Bill Pugh said we would be digging very deep and to expect a lot of restoration to the florist's property. He also contacted the Buffalo Sewer Authority (BSA) pertaining to the pumping of sanitary flows into their combined sewer system. We had a delay due to the waiting for a reply from the BSA.

On Thursday, October 2nd, we finally began excavation and found the main line 12" pipe collapsed with the florist's lateral completely broken off the main line pipe. The BSA finally gave us verbal permission to pump due to the emergency. This day we worked late to obtain a good pipe connection and flow at one end of the problem area and maintained the sanitary flow through the night without pumping. The next day, the contractor completed laying 21 L.F. of 12" plastic sanitary sewer pipe with a 12" x 6" wye to facilitate the house lateral of the florist. The hole was backfilled and the lateral repaired with a proper trap and vent in preparation of landscaping. We also hauled away all the sidewalk and shrubs damaged through this repair.

RE: Emergency Sanitary Sewer Repair
E. Delavan @ Preston

The site was barricaded and prepared for the concrete crew to work on October 7th. Balducci Concrete's crew poured all the concrete Tuesday, October 8th for a total amount of 810 S.F.

On Saturday, Bates Landscaping spread the topsoil as needed and replaced all the damaged shrubs. Mr. Merriman had his own paving crew on site Tuesday, October 15th to repair all the blacktop areas damaged by our heavy machinery.

The invoice submitted shows a cost to the Town of \$13,129.39 which covers the cost for labor, equipment and material to complete this repair. It must be pointed out that this seemingly high repair cost does not only reflect the pipe depth of 16+ feet but, also the need for special trench shoring to protect the laborers, the increased size of backhoe to work at this depth, the cost of extra stone to backfill the hole with select material (quantity from stone tickets), the slowness of excavation due to the proximity of the building foundation of Goetz Florist, water, gas and electric lines, the removal of valued shrubs and the trucking out of excavation material and old site concrete. Bypass pumping of the sanitary sewer was carried on by the contractor during pipe repair.

Greenauer Development tried to keep his cost to the Town down by limiting the crew size to five (5) men during the entire project. The landscaping and concrete restoration were the most expensive to the Town because of the property location and the location of the repair. The concrete replacement of 810 S.F. at a cost of \$2.25/S.F. was most reasonable. The asphalt replacement was at a moderate price due to the requirement of only a top course for the entire driveway area affected of 86 S.Y.

The repair job was difficult and required extra care so as not to damage other utility lines or the florist shop building. I was there during the entire repair period. No time or material was wasted. The contractor was careful and the men and equipment were efficiently used. The charges for this repair were checked over and are justified.

REB/mjj

cc: Councilman Rogowski
Chairman - Storm & Sanitary Sewer Committee
Town Board Members

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

WHEREAS, Louis DelPrince & Sons, Inc. has submitted application for final payment for Site Work at the Alexander Community Center, AND

WHEREAS, Louis DelPrince & Sons, Inc. has submitted Contractor's Affidavit of Release of Liens, Wage & Supplement Affidavit, Consent of Surety Company to Final Payment, Contractor's Affidavit of Payment of Debts & Claims, AND

WHEREAS, the Certificate of Substantial Completion is effective from August 28, 1991 wherein all warranties for Site Work are in effect, AND

WHEREAS, Scaffidi & Moore Architects has reviewed and approved said documents for compliance with the terms of the specifications and contract documents, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Final Payment to Louis DelPrince & Sons, Inc., 580 Cayuga Road, Cheektowaga, New York 14225 in the amount of \$2,685.00, AND BE IT FURTHER

RESOLVED, that funds for said payment are available from Account #5011-1625-1100.

Upon Roll Call....

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

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

WHEREAS, the Town has received funding from the U.S. Department of Housing & Urban Development under the Community Development Block Grant Program for the 1991-92 Program Year, and

WHEREAS, one of the purposes of said program is to improve the quality of community services which are essential for sound community development and for the development of viable urban communities, and

WHEREAS, the Housing Assistance Center of Niagara Frontier, Inc., located at 1233 Main Street, Buffalo, New York 14209, provides such services for Town residents, including but not limited to comprehensive housing counseling, mortgage default counseling, rental assistance and provision of housing-related information to low and moderate income residents, and

WHEREAS, funding for such services has been included in the Town's 1991-92 Community Development Block Grant Application, NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized to execute an Agreement with the Housing Assistance Center of Niagara Frontier Inc., for the provision of said services, and BE IT FURTHER

RESOLVED, that funding of said Agreement be in an amount not to exceed \$9,000.00, said amount to be paid from program Year 1991-92 Community Development Block Grant funds.

Upon Roll Call....

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

Item No. 11b Authorize Supervisor to Execute Documents in Connection with the Sale of 1277 Walden Avenue
This item has been withdrawn.

Item No. 11c Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

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

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF CHEEKTOWAGA

AND

THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

In accordance with Article 5, Section 5.02(c) of the collective bargaining agreement, the Town and the Town of Cheektowaga Employees Association have agreed on a change of work schedule for the position of Recreation Instructor.

The Recreation Instructor assigned to the Youth and Recreation Department will work the following shifts:

Effective Immediately.....2:00 P.M. to 9:30 P.M.
May 25, 1992 thru September 4, 1992.....9:00 A.M. to 4:30 P.M.
September 7, 1992 thru December 31, 1992....2:00 P.M. to 9:30 P.M.

This agreement expires with the collective bargaining agreement on December 31, 1992.

TOWN OF CHEEKTOWAGA


TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION

Dated:

js

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

WHEREAS, the Town of Cheektowaga is the owner of the Cheektowaga Recreation Center located at 2600 Harlem Road, Cheektowaga, New York, and

WHEREAS, the Western New York School Club Hockey is desirous of renting the ice skating rink located in the Cheektowaga Recreation Center, and

WHEREAS, the attached License Agreement states the terms and conditions of such ice skating rink rental, and is acceptable to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached License Agreement between the Town and the Western New York High School Club Hockey, and BE IT FURTHER

RESOLVED, that the moneys from such rental shall be deposited into the General Fund, line item 7140-2023.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

1991 - 1992
LICENSE AGREEMENT
ICE RENTAL

ORGANIZATION WESTERN NEW YORK HIGH SCHOOL CLUB HOCKEY

NAME PAUL SELLERS

CHEEKTOWAGA CENTRAL CLUB HOCKEY

TUESDAY - 9:00 - 10:30 P.M.

DECEMBER 3rd, 10th, 17th	4 1/2 hours
JANUARY 7th, 14th, 21st, 28th	6 hours
FEBRUARY 4th, 11th, 18th, 25th	6 hours

16 1/2 hours - Total

16 1/2 hours x \$95 per hour = \$1,567.50

MARYVALE CLUB HOCKEY

THURSDAY - 9:00 - 10:30 P.M.

DECEMBER 5th, 12th, 19th, 26th	6 hours
JANUARY 2nd, 9th, 16th, 23rd, 30th	6 hours
FEBRUARY 6th, 13th, 20th, 27th	6 hours

18 hours - Total

18 hours x \$95 per hour = \$1,710.00

TOTAL AMOUNT = \$3,277.50

CHEEKTOWAGA YOUTH AND RECREATIONAL SERVICES DEPARTMENT

ICE TIME REQUEST

NAME OF ORGANIZATION WESTERN NEW YORK HIGH SCHOOL CLUB HOCKEY

NAME OF INDIVIDUAL TO CONTACT PAUL SELLERS

ADDRESS OF ABOVE TONAWANDA, NEW YORK 14250

HOME PHONE _____ BUSINESS PHONE _____

RENTAL REQUEST

FROM: (DATE) SEE ATTACHED TO: (DATE) SEE ATTACHED

DAY OR DAYS SEE ATTACHED

TIME SEE ATTACHED

TOTAL HOURS PER WEEK SEE ATTACHED

COMMENTS: NOTE: Ice resurfacing including in rental time.

NO. 25

NO. 26

NO. 27

LICENSE AGREEMENT

THIS AGREEMENT, made and entered into the 4th day of November, 1991, by and between the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227, hereinafter referred to as the "TOWN"

and

WESTERN NEW YORK HIGH SCHOOL CLUB HOCKEY (a domestic corporation duly organized under the laws of the State of New York) (a partnership) (an individual) (an unincorporated association), having its principal office for the transaction of business at 667 FRIES ROAD, TONAWANDA, New York 14150.

WITNESSETH:

WHEREAS, the Town is the owner of the Cheektowaga Recreation Center located at 2600 Harlem Road in Cheektowag Town Park, Cheektowaga, New York 14225, and

WHEREAS, the LICENSEE is desirous of renting the ice skating rink located in the Cheektowaga Recreation Center.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES HERETO;

1. PREMISES: The Town hereby grants a license to the LICENSEE to use the ice skating rink, including player and penalty boxes, and a dressing room designated by the Town, located in the Cheektowaga Recreation Center, on an exclusive basis, for each date and time that this license is in effect.

In addition, this license shall include the non-exclusive use of the lobby, vestibule and other public facilities, including parking areas, as any or all of the foregoing are appropriate to the particular use of the said Recreation Center as herein permitted.

2. RENT: The LICENSEE agrees to pay to the TOWN a total rental of \$3,277.50 which sum shall be paid as follows on or before:

November 28, 1991

\$ 3,277.50

In the event that any of the above mentioned rental payments are not made at the time specified for such payment, the TOWN shall have the right to cancel this license without notice to the LICENSEE.

3. USE OF PREMISES:

- a) The LICENSEE's use of the said Recreation Center is limited to hockey and ice skating only.
- b) The LICENSEE shall cause any spectators to sit in such areas as may be designated by the TOWN.
- c) The LICENSEE shall keep the areas used in good and clean condition, and shall not permit the accumulation of rubbish or debris on the premises.
- d) The LICENSEE shall return to premises, at the termination of this license, in the same condition as at the commencement of the term of this license, normal wear and tear expected; and shall be responsible for all damages which are caused by or through the acts or omissions of the LICENSEE, its agents, employees, and/or invitees.
- e) No alcoholic beverages will be allowed on the premises.
- f) The LICENSEE shall comply with all laws, rules and regulations of any municipal authority, including police, fire, safety and health regulations and the reasonable requirements of the TOWN.
- g) The LICENSEE shall not assign, convey, transfer, sublet or otherwise dispose of this license to any other person, organization, firm or cooperation without first obtaining the written consent of the TOWN and/or the Recreation and Parks Committee of the Town of Cheektowaga.

In addition to the rent listed above, in the event the LICENSEE and/or its invitees do not vacate the PREMISES by 10:50 p.m. on the day of the rental, LICENSEE shall reimburse the TOWN for the following expenses within fourteen (14) days of demand thereof by the TOWN;

- a) Personnel costs (i.e. overtime or additional salaries paid) for TOWN employees who remained on the PREMISES.
- b) Additional rent at the rental rate of \$95 per hour for the additional time LICENSEE and/or its invitees remained on the PREMISES.

4. UTILITIES AND ICE CLEANING SERVICES: The TOWN shall provide all water, heat, gas, oil and electrical current for the usage of the LICENSEE in the areas assigned herein. In addition, the TOWN shall provide for the cleaning of the ice facilities and the rink and for snow removal in the parking areas; however, the TOWN shall not be liable for any interruption or delay in any of the above mentioned services.
 - a. The LICENSEE shall be responsible for on-PREMISES crowd control while it is renting the PREMISES.
5. INSURANCE: The LICENSEE shall procure and pay for General Liability insurance in the amounts of \$500,000 each occurrence and \$1,000,000 aggregate for bodily injury and property damage combined with such insurance to cover participants for any activities performed on TOWN premises. The TOWN, its agents and employees shall be named as additional insureds under such policy or policies, and such insurance shall be primary to any other insurance protecting the TOWN. The LICENSEE shall provide the Town with a Certificate of the Insurance which states the TOWN shall be given at least thirty (30) days advance written notice of cancellation, non-renewal, or material change of the insurance required of the LICENSEE. In the event of cancellation, non-renewal, or material change of such insurance, the TOWN shall have the writ to cancel this license.
6. NON-LIABILITY OF OWNER: This license is made upon the express condition that the TOWN shall be free from all liabilities in claims for damages and/or lawsuits for or by reason of any injury or injuries to any person or property of any kind whatsoever, from any cause or causes whatsoever while in or upon said premises during the term of this license or occasioned by any occupancy or use of said premises or any activity carried on by LICENSEE in connection herewith, and LICENSEE hereby covenants and agrees to indemnify and hold harmless the TOWN from all liabilities, charges, claims, expenses (including attorney fees) and costs on account of or by reason of such injuries, liabilities, claims, lawsuits or losses however occurring and damages arising from the same.

7. FORCE MAJEURE: In the event of total or partial destruction of the Recreation Center by fire or other peril, or by any act of nature, during the term of this license or subsequent to its execution, the TOWN shall have the option of terminating this license by giving the LICENSEE written notice to that effect or by repairing the premises with due diligence and continuing this license in effect. Should the TOWN decide to repair the damage with due diligence, the rent for the period required for such repair shall be equitably reduced in proportion to the reduction, if any, in usable space of the premises.

Other peril, as above mentioned, shall be interpreted to include power failure, compressor failure and Zamboni failure.

In addition, no claim shall be made by the LICENSEE against the TOWN based upon any shutdown of the Recreation Center caused by inclement weather, faulty construction of equipment, or for any other reason whatsoever other than the gross negligence of the TOWN.

8. MISCELLANEOUS PROVISIONS: This license agreement contains the entire agreement between the parties hereto, and there are no understandings, agreements or representations, expressed or implied, not specified herein respecting this license.

Item No. 11e Motion by Councilman Rogowski, Seconded by Councilman Jaworowicz

WHEREAS, a project for Improvements to Century Road from Cleveland Drive to Kensington Avenue, P.I.N. 5753.05, Erie County, funded for in Title 23 U.S. Code, as amended, calls for the apportionment of the costs of such program to be borne at the ratio of 75% federal funds and 25% non-federal funds, AND

WHEREAS, the Town of Cheektowaga desires to advance the above project by making a commitment of 100% of the non-federal share of the costs to Improvements to Century Road from Cleveland Drive to Kensington Avenue, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the above-subject project, AND, BE IT FURTHER

RESOLVED, that this Town Board hereby authorizes the Town of Cheektowaga to pay 100% of the non-federal share of the cost of construction engineering work for the subject project, or portions of the subject project, that are not on the State Highway System, AND, BE IT FURTHER

RESOLVED, that the sum of \$175,000 is hereby appropriated to cover the cost of participation in the above phase of the project, and the Town of Cheektowaga is hereby authorized and directed to deposit such sum with the State Comptroller prior to the award of the contract, AND, BE IT FURTHER

RESOLVED, that in the event the full non-federal share costs of the project exceeds the amount deposited with the Comptroller, the Town of Cheektowaga shall deposit said excess amount immediately upon the direction of the Department of Transportation, AND, BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute all necessary agreements on behalf of the Town of Cheektowaga with the New York State Department of Transportation approving the above subject project and providing for the municipality's participation in the cost of the local share of the subject project, AND, BE IT FURTHER

RESOLVED, that a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the Town a statement showing the actual costs and expenses of such work and shall notify the Town of Cheektowaga of the amount, if any, to be returned to the Town of Cheektowaga.

Upon Roll Call....

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

Item No. 12a Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, as a result of disciplinary action, a Memorandum of Agreement exists between the Town of Cheektowaga and the Town of Cheektowaga Employees Association describing the conditional employment of James J. Miranda, a Laborer in the Sanitation Department, AND

WHEREAS, James Miranda has now violated this Agreement, NOW, THEREFORE, BE IT

RESOLVED, that James J. Miranda be and hereby is terminated from his employment with the Town of Cheektowaga, effective immediately.

Upon Roll Call....

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

Item No. 13a continued

Upon Roll Call....

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

Item No. 13b Motion by Councilman Solecki, Seconded by Councilman Gabryszak

WHEREAS, there is a vacancy in the position of General Crew Chief in the Sanitation Department, as a result of the retirement of Ronald C. Zoeller, and

WHEREAS, Working Crew Chief David J. Kulik has applied for the position of General Crew Chief, and

WHEREAS, David J. Kulik meets all of the job requirements for General Crew Chief and has the expertise and experience in sanitation and recycling in the Town, NOW, THEREFORE, BE IT

RESOLVED, that David J. Kulik be and hereby is appointed to the position of General Crew Chief in the Sanitation Department, effective immediately, at an annual salary of \$39,564.32

* * * * *

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

Upon Roll Call....

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

* * * * *

AMENDED

WHEREAS, there is a vacancy in the position of General Crew Chief in the Sanitation Department, as a result of the retirement of Ronald C. Zoeller, and

WHEREAS, Working Crew Chief David J. Kulik has applied for the position of General Crew Chief, and

WHEREAS, David J. Kulik meets all of the job requirements for General Crew Chief and has the expertise and experience in sanitation and recycling in the Town, NOW, THEREFORE, BE IT

RESOLVED, that David J. Kulik be and hereby is appointed to the position of General Crew Chief in the Sanitation Department, retroactive as of October 31, 1991, at an annual salary of \$39,564.32.

Upon Roll Call....

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

Item No. 13c Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, due to a retirement, a vacancy exists in the position of General Crew Chief in the Central Garage, AND

WHEREAS, the Town needs to fill this position and must do so on a temporary basis until the necessary posting and bidding procedure, as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, is completed, AND

Item No. 13c continued

WHEREAS, Arthur Ferdinand, currently employed as an Automotive Mechanic Crew Chief in the Central Garage, meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Arthur Ferdinand be and hereby is appointed to the position of General Crew Chief in the Central Garage, on a temporary basis, retroactive to October 31, 1991 and at a salary as set forth in the agreement between the Town and the Town of Cheektowaga Supervisory Unit.

Upon Roll Call....

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

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

WHEREAS, a permanent vacancy exists in the position of Automotive Body Repairworker in the Central Garage, AND

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

WHEREAS, no permanent employee bid on said position, AND

WHEREAS, James C. Thompson applied for said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that James C. Thompson of Cheektowaga, New York 14227, be and hereby is appointed to the position of Automotive Body Repairworker in the Central Garage, effective immediately, and at a salary as set forth in the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call....

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

Item No. 13e Appointment of Laborer's Aide in Sanitation/Recycling Department
This item has been withdrawn.

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

WHEREAS, in order to comply with the records of the Erie County Department of Personnel, the Town needs to reclassify the titles of Thomas Carney and Frank Orlikowski, currently Assistant Working Foremen in the Sanitation/Recycling Department, NOW, THEREFORE, BE IT

RESOLVED, that the title of Thomas Carney and Frank Orlikowski be and hereby is reclassified to the title of Assistant Working Crew Chief.

Upon Roll Call....

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

Item No. 15a Motion by Councilman Rogowski, Seconded by Councilman Gabryszak

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:

Item No. 15a continued

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Thomas Sikora

Immediately

Upon Roll Call....

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

Item No. 15b Motion by Councilman Gabryszak, Seconded by Councilman Rogowski

BE IT RESOLVED that the following individuals be hired as part-time employees, for the Youth and Recreational Services Department, effective immediately:

RECREATION ATTENDANT I - A7140.1611 - \$4.50 per hour

Heather Chapp	14206
Ben Dennis	14225
Joe Gajewski	14211
Kimberly McGuire	14043
David C. Weber	14225
Eugene Whitehead	14225
Renee Whitehead	14225

RECREATION SUPERVISOR II - A7140.1611 - \$6.00 per hour

Paul Dennis	14225
Robert E. Kowalewski, Sr.	14227

Upon Roll Call....

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

Item No. 15c Motion by Councilman Rogowski, 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

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Kenneth Krupski
Allan D. Cialone

(retro to) 9/20/91
Immediately

Upon Roll Call....

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

MEETING NO. 24
November 4, 1991

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

GENERAL FUND

FROM:	0100-9010-8101	(State Retirement)	\$100,000.00
	0100-3120-1501	(Police-Captains)	14,000.00
	0100-3120-1531	(Police-Detectives)	45,000.00
	0100-3120-1541	(Police-Patrolman)	105,000.00
	0100-1640-4021	(Garage-Maint. Supplies)	78.55
	0100-1450-4211	(Board of Elections)	600.00
	0100-1410-4111	(Publishing Notices)	1,600.00
	0100-1410-4111	(Publishing Notices)	275.07
	0100-3120-2625	(Drug Forfeiture Revenue)	7,200.00
	0111-1910-4711	(Contingency)	423.56
TO:	0100-9010-8111	(Police Retirement)	100,000.00
	0100-3120-1511	(Police-Lieutenants)	14,000.00
	0100-9010-8111	(Police Retirement)	45,000.00
	0100-9010-8111	(Police-Retirement)	105,000.00
	0100-1640-1391	(Garage Part-Time Clerical)	78.55
	0100-1410-1391	(Town Clerk Part-Time Clerical)	600.00
	0100-1410-1391	(Town Clerk Part-Time Clerical)	1,600.00
	0100-1410-1391	(Town Clerk Part-Time Clerical)	275.07
	0100-3120-2204	(Computer Equipment)	7,200.00
	0100-9950-8729	(Transfer to Capital Fund)	423.56

SPECIAL DISTRICTS

FROM:	1500-8173-4161	(Sanitation-Recycling Gasoline)	8,000.00
	1500-7173-4596	(MRF Processing)	19,000.00
	2500-8125-2505	(Other Equipment)	3,246.00
	2500-8125-2304	(Bucket Machine)	16,000.00
TO:	1500-8173-4431	(Recycling Repairs & Maintenance)	8,000.00
	1500-8173-4444	(Tipping Fees)	12,000.00
	1500-8173-4431	(Equipment Repairs & Maintenance)	7,000.00
	2500-8125-2514	(Pickup Truck)	3,246.00
	2500-8125-2305	(Low Boy Dump)	16,000.00

CDBG

FROM:	0700-8612-6720	(Cheektowaga Storm Sewer Improvements-1986)	18,584.83
	0700-8612-7720	(Cedargrove St. Storm Improvements-1987)	1,557.32
	0700-8612-8720	(Cedargrove St. Storm Improvements-1988)	6,022.93
	0700-8669-0778	(Housing Rehab-1990)	14,634.91
	0700-8669-6801	(Housing Rehab - AHC Match-1986)	65,097.70
TO:	0700-8612-5720	(Cedargrove Heights Storm Sewer-1985)	26,165.08
	0700-8669-5778	(Housing Rehab - Depew-1985)	2,870.13
	0700-8669-5801	(Housing Rehab - AHC Match-1985)	65,097.70
	0700-8669-9778	(Housing Rehab - Depew-1989)	11,764.78

Upon Roll Call....

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

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 November 1, 1991, are hereby approved and made a part hereof:

Item No. 17 continued

GENERAL FUND	\$114,567.10
HIGHWAY FUND	13,495.07
TRUST AND AGENCY	558.69
CDGB HUD FUND	76,049.60
PART TOWN FUND	1,673.75
STATE AHC FUND	3,527.20
HUD REHABILITATION FUND	982.00
SPECIAL DISTRICTS	169,363.45
CAPITAL FUND	<u>53,744.59</u>
	\$433,961.45

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATION

Item No. 18 Building Permits
Received and Filed.

Item No. 19 Minutes of Traffic Safety Commission Meeting - October 15, 1991
Received and Filed.

Item No. 20 Supervisor's Statement of Funds - June 1991
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 21 Summons & Complaint: Robert Avery vs Dennis Gibbs and the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept. and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22a Notice of Claim: Veronica Kathleen Mitchell vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Dept.; Sewer Maintenance Dept. and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22b Notice of Claim: Edwin G. Trapp vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Police Dept. and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22c Notice of Claim: Daniel A. Vohwinkel vs the Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Sewer Maintenance Dept. and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22d Notice of Intention: Barbara Harling, Ind., and as Mother of Stephen Harling
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits, Town Attorney; Sylvia Slawiak, Accounting Department; Highway Dept. and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23 Correspondence from North Creek Homeowners Association Regarding Roadway @ Rear of Consumer Square
Received and Filed.

* * * * *

MOTION BY SUPERVISOR SWIATEK, SECONDED BY COUNCILMAN ROGOWSKI 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, Solecki, Rogowski and Blachowski
NAYES: 0
ABSENT: 0

* * * * *

V. SUSPENSION OF RULES

Item No. 24 Motion by Councilman Blachowski, Seconded by Councilman Rogowski

WHEREAS, due to a temporary promotion, a vacancy exists in the position of Automotive Crew Chief in the Central Garage, AND

WHEREAS, the Town needs to fill this position and must do so on a temporary basis until the necessary posting and bidding procedure, as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, is completed, AND

WHEREAS, Michael Gorlewski, currently employed as an Automotive Mechanic in the Central Garage, meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Michael Gorlewski be and hereby is appointed to the position of Automotive Mechanic Crew Chief in the Central Garage, on a temporary basis, retroactive to October 31, 1991 and at a salary as set forth in the agreement between the Town and Town of Cheektowaga Supervisory Unit.

Upon Roll Call....

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

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

BE IT RESOLVED, that the Niagara Mohawk Corporation is hereby authorized to implement a Street Lighting Conversion Program replacing a total of one thousand, one hundred and forty four (1144) 175 watt mercury vapor luminaires (8600 lumen) with 100 watt high pressure sodium luminaires (9500) located on one hundred eighty five (185) streets serviced by Niagara Mohawk, at no cost to the Town of Cheektowaga and in accordance with the attached Niagara Mohawk Power Corporation proposal dated October 23, 1991, resulting in an annual decrease to the General District of \$14,847.73.

Upon Roll Call....

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

*SEE NEXT PAGE(S) FOR ATTACHMENT

RECEIVED
OCT 31 1991
ENGINEERING
DEPT.

Street Light
Conversion Proposal
for the

TOWN OF CHEEKTOWAGA

TABLE OF CONTENTS

Executive Summary Section I

Technical Analysis Section II

Economical Analysis Section III

Next Steps Section IV

October 23, 1991

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

Dear Bill:

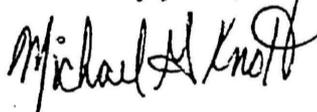
Thank you for the opportunity to provide the Town of Cheektowaga with a street light conversion proposal. This proposal includes 185 streets in the Town of Cheektowaga that are serviced by Niagara Mohawk. A complete list of these streets including the number of lamps on each street is included on the attached computer printout. This proposal is inclusive of the 8-street proposal from Mr. McQuiggan dated March 20, 1991.

There will be 1144 street lights affected by this proposal. There will be no cost for the conversion. The Town can expect to save 17 percent a year on street lighting 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 12-month period.

I will contact you the week of October 19 to discuss this proposal. If you require assistance prior to then, please call me with any questions at 857-4036.

Sincerely yours,



Michael G. Knott
Consumer Advisor

MGK/blm
d2:chktconv.pro

Executive Summary

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

The Town of Cheektowaga can expect to receive the following benefits by accepting this conversion.

- * 8.95 percent Savings on Street Light Costs Annually
- * 10.4 percent Increase in Lumen Output
- * No Cost for the Street Light Conversion
- * 104.1 Kilowatt Demand Reduction

The area proposed for street light conversion includes, upon acceptance of this proposal, all of the Town of Cheektowaga's 175 watt mercury vapor standard enclosed luminaires in Niagara Mohawk service territory which will be converted to the more efficient 100 watt high pressure sodium lights.

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

$$\begin{aligned} & [(175 + 33) \times 1144] + 1,000 = 237.95 \text{ KW} \\ - & [(100 + 17) \times 1144] + 1,000 = \underline{133.85 \text{ KW}} \\ & = 104.1 \text{ Reduction} \end{aligned}$$

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

$$104.1 \times 4,170 = 434,097 \text{ KWH Reduction}$$

Technical Analysis

Project: Street light conversion of 1,144 175 watt mercury vapor (MV) to 100 watt high pressure sodium (HPS) on standard enclosed luminaires (SEL)

Location: See Attached Printout

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.	1144	9,500	10,868,000
175 MV exist.	1144	8,600	9,838,400
Net Lumen Increase			1,029,600

Lumen Increase

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

$\frac{1,029,600 \text{ Net Lumen Increase}}{9,838,400 \text{ Lumens}} = 10.4\%$

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

$$1144 \times (54.85 + 24.70 + 57.78) = \$157,105.52 + .9477^* = \$165,775.58$$
$$- 1144 \times (30.87 + 39.96 + 54.20) = 143,034.32 + .9477 = \underline{150,927.85}$$

\$14,847.73 Annual Savings**

Cost Reduction

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

$$\frac{\$14,847.73}{\$165,775.58} = 8.95 \%$$

*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.

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 12 months from receipt of your acceptance.

STREET*NAME				
STREET	FREQUENCY	PERCENT	CUMULATIVE FREQUENCY	CUMULATIVE PERCENT
AERO DR	12	1.0	12	1.0
ALEXANDER ST	16	1.4	28	2.4
ALLENDALE CT	1	0.1	29	2.5
ALLENDALE RD	8	0.7	37	3.2
ALLISON DR	4	0.3	41	3.6
ALPINE PL	4	0.3	45	3.9
ANDREWS AVE	6	0.5	51	4.5
ANNA CT	1	0.1	52	4.5
ATWOOD PL	1	0.1	53	4.6
AURORA DR	9	0.8	62	5.4
AVERY PL	6	0.5	68	5.9
AWOOD PL	5	0.4	73	6.4
BARBARA PL	8	0.7	81	7.1
BARRYMORE DR	3	0.3	84	7.3
BEACH RD	8	0.7	92	8.0
BEALE AVE	18	1.6	110	9.6
BEECHWOOD PL	3	0.3	113	9.9
BERYL DR	4	0.3	117	10.2
BETTY LA	1	0.1	118	10.3
BIGELOW RD	4	0.3	122	10.7
BINNER RD	2	0.2	124	10.8
BIRKDALE RD	11	1.0	135	11.8
BRIARCLIFFE RD	8	0.7	143	12.5
BROOKHAVEN DR	3	0.3	146	12.8
BURKE DR	12	1.0	158	13.8
CALDERWOOD DR	4	0.3	162	14.2
CAMPBELL RD	11	1.0	173	15.1
CAMPBELL TUDOR C	1	0.1	174	15.2
CAMPWOOD CT	4	0.3	178	15.6
CAYUGA RD	4	0.3	182	15.9
CEDAR RD	12	1.0	194	17.0
CEDARGROVE CIR	20	1.7	214	18.7
CENTURY RD	8	0.7	222	19.4
CHARLOTTE RD	2	0.2	224	19.6
CHARWOOD CT	1	0.1	225	19.7
CHARWOOD DR	7	0.6	232	20.3
CHERRY LA	4	0.3	236	20.6
CHESTERFIELD DR	6	0.5	242	21.2
CLOVERDALE RD	7	0.6	249	21.8
COMMODORE TER	3	0.3	252	22.0
COMMUNITY DR	3	0.3	255	22.3
CORALWOOD CT	5	0.4	260	22.7
CRESCENT CT	8	0.7	268	23.4
CRESTVIEW AVE	7	0.6	275	24.0
CRESTWOOD PL	3	0.3	278	24.3
CROY AVE	3	0.3	281	24.6
DANBURY DR	25	2.2	306	26.7
DANIA DR	6	0.5	312	27.3
DARWIN DR	8	0.7	320	28.0
DAWN ST	2	0.2	322	28.1
DELLWOOD PL	3	0.3	325	28.4
DELMAR AVE	5	0.4	330	28.8
DELRAY DR	7	0.6	337	29.5

14:34 FRIDAY, OCTOBER 11, 1991

STREET*NAME				
STREET	FREQUENCY	PERCENT	CUMULATIVE FREQUENCY	CUMULATIVE PERCENT
DOAT ST	16	1.4	353	30.9
DONLEN DR	3	0.3	356	31.1
DOYLE CT	2	0.2	358	31.3
DRAKE DR	1	0.1	359	31.4
E GRAND BLVD	13	1.1	372	32.5
EASTLAND PKWY	6	0.5	378	33.0
ELKHURST DR	3	0.3	381	33.3
ELKINS DR	1	0.1	382	33.4
ELLEN DR	26	2.3	408	35.7
ELLCOTT CREEK R	5	0.4	413	36.1
EXETER CT	2	0.2	415	36.3
FERKWOOD PL	1	0.1	416	36.4
FLORA RD	5	0.4	421	36.8
FONTAINE DR	10	0.9	431	37.7
FURLONG RD	3	0.3	434	37.9
GARDEN RD	6	0.5	440	38.5
GARDENVALE DR	11	1.0	451	39.4
GLENWOOD CT	5	0.4	456	39.9
GRAND BLVD	6	0.5	462	40.4
GREENLEAF LA	7	0.6	469	41.0
GREENWOOD PL	2	0.2	471	41.2
GUALBERT AVE	13	1.1	484	42.3
HALLER AVE	10	0.9	494	43.2
HEATHER RD	14	1.2	508	44.4
HEDWIG AVE	13	1.1	521	45.5
HERBERT AVE	7	0.6	528	46.2
HIGHVIEW CT	2	0.2	530	46.3
HIGHVIEW RD	11	1.0	541	47.3
HILLSBORO RD	7	0.6	548	47.9
HILLSIDE AVE	7	0.6	555	48.5
HOERNER AVE	9	0.8	564	49.3
HOERNER ST	1	0.1	565	49.4
HOMESGARTH AVE	7	0.6	572	50.0
HUNTING RD	5	0.4	577	50.4
HUTH RD	33	2.9	610	53.3
IDLEBROOK DR	3	0.3	613	53.6
JEAN TER	3	0.3	616	53.8
KENDALE RD	7	0.6	623	54.5
KEHVIEW BLVD	7	0.6	630	55.1
KILBOURNE RD	6	0.5	636	55.6
KINGSWOOD DR	3	0.3	639	55.9
LEROY RD	3	0.3	642	56.1
LOCHLAND DR	3	0.3	645	56.4
LONG AVE	5	0.4	650	56.8
LORETTA DR	1	0.1	651	56.9
LORETTO DR	8	0.7	659	57.6
LORRAINE LA	2	0.2	661	57.8
LYNCREST DR	6	0.5	667	58.3
MAFALDA DR	11	1.0	678	59.3
MAPLEVIEW RD	6	0.5	684	59.8
MARC LA	1	0.1	685	59.9
MARYVALE DR	2	0.2	687	60.1
MATTHEW LA	3	0.3	690	60.3

NO. 25

NO. 26

STREET*NAME				
STREET	FREQUENCY	PERCENT	CUMULATIVE FREQUENCY	CUMULATIVE PERCENT
MAYFAIR CT	2	0.2	692	60.5
MEAFORD RD	6	0.5	698	61.0
MERRYMONT RD	8	0.7	706	61.7
MIDLAND DR	6	0.5	712	62.2
MILDRED DR	3	0.3	715	62.5
MONTFORT DR	6	0.5	721	63.0
N MCNAUGHTON AVE	3	0.3	724	63.3
NEIBERT PL	1	0.1	725	63.4
NINA PL	3	0.3	728	63.6
NORTHERN PKWY	13	1.1	741	64.8
NUGGET DR	1	0.1	742	64.9
ORIDLE PL	3	0.3	745	65.1
PARISH RD	3	0.3	748	65.4
PATTON LA	4	0.3	752	65.7
PEACHROW LA	3	0.3	755	66.0
PENDLEWOOD DR	4	0.3	759	66.3
PRIMROSE DR	3	0.3	762	66.6
RANDOLPH AVE	7	0.6	769	67.2
RAVENSWOOD TER	1	0.1	770	67.3
REDLEAF LA	5	0.4	775	67.7
REDWOOD DR	3	0.3	778	68.0
RED AVE	13	1.1	791	69.1
RIDGE PARK AVE	16	1.4	807	70.5
ROCKLEIGH DR	3	0.3	810	70.8
ROSARY BLVD EXT	11	1.0	821	71.8
ROSEWOOD TER	7	0.6	828	72.4
ROSWELL RD	4	0.3	832	72.7
ROY AL	3	0.3	835	73.0
S CENTURY RD	7	0.6	842	73.6
S HUXLEY DR	7	0.6	849	74.2
S DEHMAN BLVD	7	0.6	856	74.8
S ROYCROFT BLVD	3	0.3	859	75.1
SANDSTONE DR	2	0.2	861	75.3
SCHOEDEL AVE	1	0.1	862	75.3
SETON RD	23	2.0	885	77.4
SHELBY DR	2	0.2	887	77.5
SHIRLEY AVE	3	0.3	890	77.8
SIBERLING DR	4	0.3	894	78.1
SIERRA DR	3	0.3	897	78.4
SIMPSON DR	2	0.2	899	78.6
SIMSBURY DR	2	0.2	901	78.8
SOUTHGATE RD	14	1.2	915	80.0
SPRINGFIELD DR	2	0.2	917	80.2
STARCREST DR	3	0.3	920	80.4
SUGAR RD	3	0.3	923	80.7
TERRY LA	7	0.6	930	81.3
TIORUNDA PK	15	1.3	945	82.6
TOELSIN RD	10	0.9	955	83.5
TREEHAVEN RD	3	0.3	958	83.7
TRENT SQ	3	0.3	961	84.0
TUDOR DR	1	0.1	962	84.1
TUDOR RD	14	1.2	976	85.3
VERDUN PL	4	0.3	980	85.7

NO. 25

NO. 26

14:34 FRIDAY, OCTOBER 11, 1991

STREET*NAME				
STREET	FREQUENCY	PERCENT	CUMULATIVE FREQUENCY	CUMULATIVE PERCENT
VIRGINIA RD	8	0.7	988	86.4
W GRAND BLVD	9	0.8	997	87.2
WANDA AVE	12	1.0	1009	88.2
WESTBROOK DR	21	1.8	1030	90.0
WESTCHESTER DR	8	0.7	1038	90.7
WESTLAND PKWY	6	0.5	1044	91.3
WHEATON DR	11	1.0	1055	92.2
WHITE RD	7	0.6	1062	92.8
WILDY ST	5	0.4	1067	93.3
WILLOW CT	2	0.2	1069	93.4
WILSHIRE RD	6	0.5	1075	94.0
WINDCREST DR	3	0.3	1078	94.2
WINDWOOD CTS	12	1.0	1090	95.3
WOODDELL AVE	14	1.2	1104	96.5
WOODLAND TER	6	0.5	1110	97.0
WOODRIDGE AVE	24	2.1	1134	99.1
YOUNGS RD	2	0.2	1136	99.3
YVONNE AVE	8	0.7	1144	100.0

NO. 25

NO. 26

Item No. 26 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak

WHEREAS, Capital project #5011-1625-1100 budgeted in the amount of \$53,800.00 has been over-expended in the amount of \$423.56, and

WHEREAS, \$423.56 has been transferred from the General Fund to the Capital projects fund to compensate for this shortage, NOW, THEREFORE, BE IT

RESOLVED, that the Town's 1991 Budget be amended by adding there to it as follows:

ESTIMATED REVENUE	5011-1910-5031	Interfund transfers-in	\$423.56
APPROPRIATION:	5011-1625-1100	Alexander Street Driveway	423.56

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 27 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek

WHEREAS, by resolution dated May 6, 1991, this Town Board awarded bids for the furnishing of clothing for the Town Youth and Recreational Services Department, and

WHEREAS, as part of such resolution, bids for the following referenced items were awarded to Marking Services, Inc.:

Item 7	Swim Trunks	@ \$23.75 each
Item 9.a.	Hockey Jerseys	@ \$21.85 each

and

WHEREAS, the bid specifications for these items were not specific enough and, as a result thereof, the bidder is not able to supply the items the Town wants, and

WHEREAS, the Director of the Youth and Recreational Services Department has recommended that the Town Board's bid awards for the aforementioned items be rescinded, NOW, THEREFORE, BE IT

RESOLVED, that the bids awarded at the May 6, 1991 Town Board meeting for the following items be and hereby are rescinded:

Item 7	Swim Trunks	@ \$23.75 each
Item 9.a.	Hockey Jerseys	@ \$21.85 each

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 28 Motion by Supervisor Swiatek, Seconded by Councilman Gabryszak to adjourn this meeting until Thursday, November 14, 1991 at 6:00 P.M.

Item No. 1 At an adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 14th day of November, 1991 at 6:00 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Gabryszak

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; Donald Wegner, Zoning Inspector, and Robert Kaczmarek, Chief Account.

I. RESOLUTIONS

Item No. 2 Motion by Unanimous, Seconded by Unanimous

WHEREAS, Frank E. Swiatek, Supervisor of the Town of Cheektowaga, New York, presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of the Special Districts in the Town of Cheektowaga, New York, and

WHEREAS, this Town Board has carefully considered the Estimates and Assessment Rolls of the amounts set forth as Special Districts respectively and does determine same to be necessary and required as aforesaid set forth, namely:

Town of Cheektowaga
1992
Final Benefit Basis Budget

and,

WHEREAS, a Public Hearing was duly held on the 28th day of October, 1991 at 6:30 o'clock P.M., in relation to the Preliminary Benefit Basis Budget, as provided by law, with amendments made to same, NOW, THEREFORE, BE IT

RESOLVED, that the Budget and Assessment Roll for Special Districts in the Town of Cheektowaga, be and the same is hereby adopted, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to cause same to be spread on the Tax Rolls for the year 1992.

Upon Roll Call....

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

NAYES: 0

ABSENT: Councilman Gabryszak

Item No. 3 Motion by Unanimous, Seconded by Unanimous

WHEREAS, Town Board Members, and persons in charge of the various departments of the Town Government have submitted estimates of revenues and expenditures for the year of 1992, for the General Funds, Highway Fund, Consolidated Garbage District and General Lighting Districts, and

WHEREAS, the Town Board has adopted certain estimates at its Preliminary Budget Hearing, and

Item No. 3 continued

WHEREAS, a Public Hearing was duly held on October 28, 1991 at 6:30 o'clock P.M., in relation to such Preliminary Ad Valorem Budget as provided by law, NOW, THEREFORE, BE IT

RESOLVED, that the following estimates and expenditures be adopted as the 1992 Ad Valorem Budget for the Town of Cheektowaga and the respective districts therein:

Town of Cheektowaga
1992
Ad Valorem Budget

and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to make application to the Erie County Legislature to have levied and spread against the taxable property liable therefore the amounts hereinbefore stated and that such sums when collected be paid to the Supervisor of the Town of Cheektowaga as provided by law.

Upon Roll Call....

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

Item No. 4 Motion by Supervisor Swiatek, Seconded by Councilman Rogowski to adjourn this meeting.

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of November 1991 at 7:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Bruce Chamberlin, Chief of Police; Ronald Marten, Building Inspector; and Salvatore LaGreca, Chairman of Planning Board.

I. PUBLIC HEARING

ITEM NO. 1 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>
Wedgewood Drive	North-South	Baywood Drive	Westbound	N.E. 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 adding thereto the following:

B. No parking anytime

BARBADOS DRIVE	south side of the southerly east-west leg	from 75 feet westerly of the curbline of Barbados Drive north-south leg, thence easterly around the curb and southerly 75 feet ± to the south property line of 263 Barbados
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Item No. 2 continued

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 Bond Resolution: Acquisition of hydraulic lift, computer hardware and software and semi-automatic pistols
Failed due to lack of majority vote.

Item No. 3b Bond Resolution: Construction of bridge to replace Ledyard Street Bridge
Failed due to lack of majority vote.

Item No. 3c Bond Resolution: Construction of road improvements at Kensington Avenue, Cleveland Drive and Century Road
Failed due to lack of majority vote.

Item No. 3d Bond Resolution: Purchase of various vehicles for Highway Department
Failed due to lack of majority vote.

Item No. 3e Bond Resolution: Reconstruction of Heating, Ventilating and Air Conditioning at Town Park Recreation Center
Failed due to lack of majority vote.

Item No. 3f Bond Resolution: Reconstruction of Police and Court Building
Failed due to lack of majority vote.

Item No. 3g Bond Resolution: Reconstruction of South Branch Library Building
Failed due to lack of majority vote.

Item No. 3h Bond Resolution: Drainage and Flood Control
Failed due to lack of majority vote.

Item No. 3i Bond Resolution: Acquisition of Land (Wedgewood Drive)
Failed due to lack of majority vote.

Item No. 3j Bond Resolution: Construction of Foot Bridge over Scajaquada Creek
Failed due to lack of majority vote

Item No. 3k Bond Resolution: Preparation of plans for Highway Improvement/traffic studies and construction of new library
Filed due to lack of majority vote.

Item No. 4 Motion by Councilman Blachowski Seconded by Councilman Rogowski

WHEREAS, the Town is required by Title I of the National Affordable Housing Act to prepare a Comprehensive Housing Affordability Strategy for the Town in order to receive Community Development Block Grant funds, and

WHEREAS, the purpose of the Comprehensive Housing Affordability Strategy is to identify housing needs within the Town and the resources and programs that can be used to address them, and

Item No. 4 continued

WHEREAS, federal regulations require the Town to hold a public hearing to obtain the views of citizens, public agencies, and other interested parties regarding Town housing needs, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on Monday, December 2, 1991, at 7:00 P.M., at Cheektowaga Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the above said purpose, AND BE IT

FURTHER RESOLVED, that a legal notice of such public hearing be published in the Cheektowaga Times on Thursday, November 21, 1991.

* * * * *

TOWN OF CHEEKTOWAGA

NOTICE OF PUBLIC HEARING

COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY

The Town of Cheektowaga will hold a Public Hearing on Monday, December 2, 1991 at 7:00 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, NY 14227, regarding housing needs within the Town.

The Town must develop a Comprehensive Housing Affordability Strategy to identify housing needs within the Town and the resources and programs that can be used to address them in order to receive Community Development Block Grant and other forms of federal funding. The purpose of the hearing is to obtain the view of citizens, public agencies and other interested parties regarding housing needs within the Town. Written comments may be submitted to the Town of Cheektowaga, Office of Community Development, 3719 Union - Suite 218, Cheektowaga, NY, 14225.

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

LEGAL NOTICE
TOWN OF CHEEKTOWAGA
NOTICE OF PUBLIC
HEARING
COMPREHENSIVE HOUSING
AFFORDABILITY STRATEGY
 The Town of Cheektowaga will hold a Public Hearing on Monday, December 2, 1991, at 7:00 P.M. at Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, NY 14227, regarding housing needs within the Town.
 The Town must develop a Comprehensive Housing Affordability Strategy to identify housing needs within the Town and the resources and programs that can be used to address them in order to receive Community Development Block Grant and other forms of federal funding. The purpose of the hearing is to obtain the view of citizens, public agencies and other interested parties regarding housing needs within the Town. Written comments may be submitted to the Town of Cheektowaga, Office of Community Development, 3719 Union—Suite 218, Cheektowaga, NY, 14225.
 Richard M. Moleski
 DATED: November 18, 1991
 PUBLISH: November 21, 1991

.....*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.....*NOV. 21, 1991*..... ;
 last publication.....*NOV. 21, 1991*..... ;
 and that no more than six days intervened be-
 tween publications.

.....*Melanie Wolf*.....
 Sworn to before me this*21st*.....
 day of*NOVEMBER*....., 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

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

WHEREAS, on May 2, 1960, Chapter 51 of the Code of the Town of Cheektowaga ("Peddlers and Hawkers Ordinance") was adopted, and

WHEREAS, such ordinance provides for the licensure of persons going door to door or selling merchandise from vehicles or other structures, and

WHEREAS, the Town Clerk, who is in charge of issuing permits under such ordinance, has recommended that such ordinance be amended to resolve certain problems encountered with peddlers and to increase permit fees to cover Town costs incurred, and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall on the 4th day of November, 1991 at 7:30 p.m., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt said amendments to the Peddlers and Hawkers Ordinance, NOW, THEREFORE, BE IT

RESOLVED, that Chapter 51 of the Code of the Town of Cheektowaga be and hereby is amended and changed as follows:

1. RESOLVED, that the definition of the word "PEDDLER", as found in Section 51-2, shall be amended by adding thereto at the end thereof, the following wording:

The word "peddler" shall also include a person or corporation conducting transient business, as that term is defined in Section 85-a of the General Municipal Law, within the Town of Cheektowaga.

2. RESOLVED, that subsection H of Section 51-4 which relates to applications for permits, shall be amended by adding thereto at the end thereof the following wording:

", and, if applicable, (i) the address(es) or locations(s) from which the applicant intends to peddle, and (ii) the name(s) and address(es) of the owner(s) of such property. If the applicant proposes to operate from an established location and the property is not owned by the applicant, the written consent of the owner to such hawking and peddling by the applicant must be attached to the application.

3. RESOLVED, that subsections A and B of Section 51-6, which pertains to fees for permits, shall be amended to read as follows:

- A. The fee for each person proposing to peddle, whether on foot, from a vehicle or otherwise shall be one hundred dollars (\$100.)
- B. The fee herein provided for shall be assessed on a six-month basis, but any such permit may be renewed for additional six month periods upon payment of additional fees. There shall be no pro-rating of or reduction in fees for fractional period of a six month period.

and, BE IT FURTHER

RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board held on November 18, 1991; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED, that the aforementioned amendment to the Peddlers and Hawkers Ordinance shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of its service against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Item No. 5 continued

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

**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 18th day of November 1991 at 7:30 o'clock p.m. Eastern Standard Time there were:

PRESENT:
Supervisor Frank E. Swiatek
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Patricia A. Jaworowicz

Councilman Dennis H. Gabryszak
Motion by Councilman Blachowski and Seconded by Councilman Solecki

WHEREAS, on May 2, 1960, Chapter 51 of the code of the Town of Cheektowaga ("Peddlers and Hawkers Ordinance") was adopted, and

WHEREAS, such ordinance provides for the licensure of persons going door to door or selling merchandise from vehicles or other structures, and

WHEREAS, the Town Clerk, who is in charge of issuing permits under such ordinance, has recommended that such ordinance be amended to resolve certain problems encountered with peddlers and to increase permit fees to cover Town costs incurred, and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall on the 4th day of November, 1991 at 7:30 p.m., at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to adopt said amendments to the Peddlers and Hawkers Ordinance, NOW, THEREFORE, BE IT

RESOLVED, that Chapter 51 of the Code of the Town of Cheektowaga be and hereby is amended and changed as follows:

1. RESOLVED, that the definition of the word "PEDDLER", as found in Section 51-2, shall be amended by adding thereto at the end thereof, the following wording:

The word "peddler" shall also include a person or corporation conducting transient business, as that term is defined in Section 85-a of the General Municipal Law, within the Town of Cheektowaga.

2. RESOLVED, that subsection H of Section 51-4 which relates to applications for permits, shall be amended by adding thereto at the end thereof the following wording:

and, if applicable, (i) the address(es) or location(s) from which the applicant intends to peddle, and (ii) the name(s) and address(es) of the owner(s) of such property. If the applicant proposes to operate from an established location and the property is not owned by the applicant, the written consent of the owner to such hawking and peddling by the applicant must be attached to the application.

3. RESOLVED, that subsections A and B of Section 51-6, which pertains to fees for permits, shall be amended to read as follows:

A. The fee for each person proposing to peddle, whether on foot, from a vehicle or otherwise shall be one hundred dollars (\$100.)

B. The fee herein provided for shall be assessed on a six-month basis, but any such permit may be renewed for additional six month periods upon payment of additional fees. There shall be no pro-rating of or reduction in fees for fractional period of a six month period.

and, BE IT FURTHER
RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board held on November 18, 1991; and that a certified copy thereof be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED, that the aforementioned amendment to the Peddlers and Hawkers Ordinance shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of its service against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of its passage and entry into the minutes.

Upon roll call.....
Supervisor Swiatek Voting AYE
Councilman Blachowski Voting AYE
Councilman Jaworowicz Voting ABSENT
Councilman Gabryszak Voting ABSENT
Councilman Rogowski Voting AYE

Councilman Solecki Voting AYE
AYES: 4
NAYES: 0
ABSENT: 2
STATE OF NEW YORK
COUNTY OF ERIE
I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter described, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on November 18, 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 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of November 6, 1991.

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

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!..... weeks:

first publication.....November 21, 1991

last publication.....November 21, 1991

and that no more than six days intervened be-

tween publications.

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

Sworn to before me this21st.....

day ofNovember....., 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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the installation of a new truck lift for the Central Garage, which bids were duly received and opened at a public meeting called for that purpose, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, Principal Engineer Assistant Allan Blachowski has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract to remove the old truck lift and install a new truck lift for the Central Garage, is hereby awarded to Wittmeyer & Zee, Inc., 531 Oakwood Avenue, East Aurora, New York 14052 for their bid in the amount of \$28,435.00, said bid meeting the requirements of the specifications.

* See next page

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Solecki, Rogowski and Blachowski

NAYES: 0

ABSENT: Councilman Jaworowicz, and Councilman Gabryszak

Chester L. Bryan, P.E.
Town Engineer



November 13, 1991

TO SUPERVISOR SWIATEK AND
TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid
Removal & Installation
of a Truck Lift for
Central Garage

Gentlemen:

At a public bid opening on November 4, 1991, bids were received and publicly opened for the removal of an old truck lift and installation of a new truck lift for the Central Garage. One (1) bid was received and is as follows:

Wittmeyer & Zee, Inc.	\$26,585.00
-----------------------	-------------

The bid was reviewed with General Foreman, Arthur Ferdinand, of the Central Garage. It is recommended that Option 1 be included with the bid for multi-locking legs on the cylinders for safety reasons at an additional cost of \$1,850.00.

It is, therefore, recommended that the bid be awarded to Wittmeyer & Zee, Inc., 531 Oakwood Avenue, East Aurora, New York 14052 for submitting the lowest total bid, including Option 1, in the amount of \$28,435.00, said bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

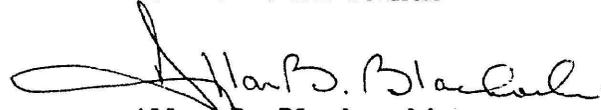

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

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

WHEREAS, bids were duly received on October 21, 1991 as the result of advertisement for the purchase of vehicles for the Sanitary Sewer Maintenance Department, 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 from Principal Engineer Assistant, Allan Blachowski to the Town Board, dated October 30, 1991, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the purchase of vehicles for the Sanitary Sewer Maintenance Department, as recommended, be and the same is hereby awarded to Mernan Chevrolet, 2751 Bailey Avenue, Buffalo, New York 14215 for their bid in the amount of \$15,785.00 (after trade-in) for Item I, and 1992 Low Boy Dump Truck and \$13,246.00 for Item II, a 1992 G-10 Van, AND, BE IT FURTHER

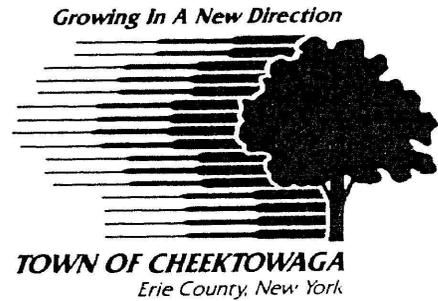
RESOLVED, that funds have been budgeted for said vehicles in account #2500-8125-2514 for the G-10 VAN and account #2500-8125-2305 for the Low Boy Dump Truck.

* See next pages

Upon Roll Call....

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

Chester L. Bryan, P.E.
Town Engineer



October 30, 1991

TO SUPERVISOR SWIATEK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bids
Sanitary Sewer Department
1992 Low Boy Dump Truck
1992 G-10 Van

Gentlemen:

At a public bid opening held on October 21, 1991 at 11:00 A.M., bids were publicly opened for the purchase of various vehicles for the Sanitary Sewer Department. Four (4) bids were received but only three (3) bids were opened. Subsequently, the Town Clerk located an additional bid that was received and stamped on October 18th at 2:15 P.M. This bid was from Mernan Chevrolet, which was opened immediately by the Town Clerk at 11:10 A.M.

The four (4) bids which were received are as follows:

ITEM I

<u>Bidder</u>	1992 Low-Boy Dump	Trade-In Value 1984	Vehicle Cost Less Trade-In
Mernan Chevrolet	\$19,535.00	\$3,750.00	\$15,785.00
Flanigan Chevrolet	\$19,494.00	\$3,200.00	\$16,294.00
Murphy Pontiac GMC	\$20,599.00	\$3,200.00	\$17,399.00
Bison Ford	\$21,848.00	\$2,000.00	\$19,848.00

No Town departments are interested in the trade-in vehicle. It is, therefore, recommended that the bid for Item I be awarded to Mernan Chevrolet for their submission of the lowest bid, including trade-in value, meeting Town requirements.

To Supervisor Swiatek
and Town Board Members

October 30, 1991
Page 2

ITEM II

<u>Bidder</u>	<u>1992 G-10 Van</u>	<u>Trade-In 1985 Van</u>	<u>Vehicle Cost Less Trade-In</u>
Mernan Chevrolet	\$13,246.00	\$1,750.00	\$11,496.00
Flanigan Chevrolet	\$13,410.00	\$1,600.00	\$11,810.00
Murphy Pontiac GMC	\$13,950.00	\$1,500.00	\$12,450.00

The Youth/Recreation Department would like to purchase the 1985 trade-in Van and will make the necessary transfer to the Sewer Department Budget. It is, therefore, recommended that the bid be awarded to Mernan Chevrolet for their submission of the lowest base bid meeting the Town requirements.

Very truly yours,

TOWN OF CHEEKTOWAGA

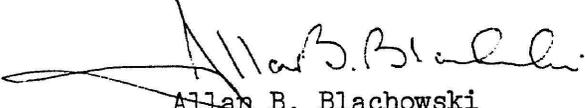

Allan B. Blachowski
Principal Engineer Asst.

ABB:dms

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the Contracting of Snow Removal if a Snow Emergency should occur.

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

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforementioned item at 11:00 A.M. on November 29, 1991 in the Council Chambers of the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the Town in the event of a snow emergency during the 91-92 winter season.

Specifications and information are available at the office of the Town Superintendent of Highways, 3145 Union Road, Cheektowaga, New York between the hours of 8:00 A.M. and 3:30 P.M., Monday through Friday.

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Road, Cheektowaga, New York, 14227 prior to the time of the bid opening scheduled for Friday, November 29, 1991 at 11:00 A.M. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder and with the words, "BID FOR LABOR AND EQUIPMENT FOR SNOW REMOVAL IN EMERGENCY".

The Town of Cheektowaga reserves the right to reject any or all bids if it determines in its discretion that it is in the best interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids.

Richard M. Moleski, Town Clerk

DATED: November 18, 1991

PUBLISHED: November 21, 1991

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA**
The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the Town in the event of a snow emergency during the 91-92 winter season.
Specifications and information are available at the office of the Town Superintendent of Highways, 3145 Union Road, Cheektowaga, New York between the hours of 8:00 AM and 3:30 PM, Monday through Friday.
In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, prior to the time of the bid opening scheduled for Friday, November 29, 1991 at 11:00 AM in the Town Hall Council Chambers.
Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder and with the words, "BID FOR LABOR AND EQUIPMENT FOR SNOW REMOVAL IN EMERGENCY".
The Town of Cheektowaga reserves the right to reject any or all bids if it determines in its discretion that it is in the best interest of the Town of Cheektowaga to do so.
Non-collusion forms must be signed and submitted with bids.
Richard M. Moleski, Town Clerk
DATED: November 18, 1991
PUBLISH: November 21, 1991

.....Melanie Wolf....., of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) isclerk..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication.....Nov. 21, 1991.....; last publication.....Nov. 21, 1991.....; and that no more than six days intervened between publications.

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

Sworn to before me this21st.....

day ofNovember....., 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

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

WHEREAS, there is need to remove the existing flooring and install new flooring in the central area of the Senior Citizens Center, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the removal of existing flooring and installation of new flooring in the central area of the Senior Citizens Center, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 2nd day of December, 1991 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the removal of existing flooring material and installation of new flooring material in the central area of the Senior Citizens Center in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for the Removal of Existing Flooring and Installation of New Flooring Materials at the Senior Citizens Center" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

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

RICHARD M. MOLESKI, TOWN CLERK

DATED: November 18, 1991

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
NOTICE TO BIDDERS**
Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the removal of existing flooring material and installation of new flooring material in the central area of the Senior Citizens Center in the Town of Cheektowaga.
Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town.
Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for the Removal of Existing Flooring and Installation of New Flooring Materials at the Senior Citizens Center" and submitted to the Town Clerk prior to bid opening.
No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.
The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any and all bids.
By order of the Town Board of the Town of Cheektowaga, Erie County, New York.
Richard M. Moleski
Town Clerk
DATED: November 18, 1991
PUBLISH: November 21, 1991

.....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.....Nov. 21, 1991.....;
last publication.....Nov. 21, 1991.....;
and that no more than six days intervened be-
tween publications.

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

Sworn to before me this21st.....
day ofNovember....., 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

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the refinishing of the soffits at the Reinstein Library on Harlem Road. Information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at a public Bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the Refinishing of Soffits at the Reinstein Library on Harlem Road.

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

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

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

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

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

Richard M. Moleski, Town Clerk

DATED: November 18, 1991

* * * * *

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Solecki, Rogowski and Blachowski

NAYES: 0

ABSENT: Councilman Jaworowicz, and Councilman Gabryszak

AFFIDAVIT - NEXT PAGE

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

**X LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the Re-finishing of Soffits at the Reinstein Library on Harlem Road.

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.

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

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

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

Richard M. Moleski
Town Clerk
DATED: November 18, 1991
PUBLISH: November 21, 1991

.....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.....Nov. 21, 1991.....;
last publication.....Nov. 21, 1991.....;
and that no more than six days intervened be-
tween publications.

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

Sworn to before me this21st.....
day ofNovember....., 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

NO. 27

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

WHEREAS, the Town of Cheektowaga Sewer Maintenance Department desires to purchase one 1992 Truck with Jet Sewer Cleaner, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the purchase of a 1992 Truck with Jet Sewer Cleaner, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 2nd day of December, 1991 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of a 1992 Truck with Jet Sewer Cleaner.

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

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

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

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

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

Richard M. Moleski, Town Clerk

DATED: November 18, 1991

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

NO. 27

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

**LEGAL NOTICE
NOTICE TO BIDDERS**

Scaled proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 2, 1991 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the purchase of a 1992 Truck with Jet Sewer Cleaner.

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.

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

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

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

Richard M. Moleski
Town Clerk

DATED: November 18, 1991
PUBLISH: November 21, 1991

.....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.....Nov. 21, 1991.....;
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and that no more than six days intervened be-
tween publications.

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

Sworn to before me this21st.....
day ofNovember....., 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

Item No. 7e Motion by Councilman Blachowski Seconded by Councilman Rogowski

WHEREAS, this Town Board has authorized the preparation of plans and specifications for modifications to the Central Garage Building to provide for the safe storage of parts inventory, AND

WHEREAS, the Town Engineer advises that plans and specifications have been completed and the project is ready for bidding, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the modifications to the Central Garage Building, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 2nd day of December, 1991 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

* * * * *

NOTICE TO BIDDERS

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 2nd day of December, 1991 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for modifications to Central Garage Building, Broadway and Union Roads, Cheektowaga, New York, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Joseph Freeman, P.E., Consulting Engineer for the said project.

Plans are on file in the office of the Town Engineer of Cheektowaga, 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. Copies are available in the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227 and may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Modifications to Central Garage Building, Broadway and Union Roads, Cheektowaga, New York".

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

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the order of the

Item No. 7e continued

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

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

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

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

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

The work shall be completed within 90 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

Richard M. Moleski,
Town Clerk
Town of Cheektowaga

DATED: November 18, 1991

* * * * *

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

**X 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 2nd day of December, 1991 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for modifications to Central Garage Building, Broadway and Union Roads, Cheektowaga, New York, complete in place, tested and ready for use, in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Joseph Freeman, P.E., Consulting Engineer for the said project.

Plans are on file in the office of the Town Engineer of Cheektowaga, 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. Copies are available in the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227 and may be secured upon payment of \$50.00 per set of documents. Deposits should be made in the form of two (2) \$25.00 checks made payable to the Town of Cheektowaga, New York.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Modifications to Central Garage Building, Broadway and Union Roads, Cheektowaga, New York."

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

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

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

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

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

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

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

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

The work shall be completed within 90 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

Ricahrd M. Moleski
Town Clerk
Town of Cheektowaga
DATED: November 18, 1991
PUBLISH: November 21, 1991

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

Melanie Wolf, of the town
 Cheektowaga, in said County of Erie, being
 sworn, deposes and says that he (she) is
 clerk of the Cheek-
 waga Times, a public newspaper published
 weekly in said town; that the notice, of which
 an 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 *Nov. 21, 1991*;
 last publication *Nov. 21, 1991*;
 and that no more than six days intervened be-
 tween publications.

Melanie Wolf
 Sworn to before me this *21st*
 day of *November*, 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

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

WHEREAS, the owners of property abutting a portion of Speidel Avenue, a paper street in the Town of Cheektowaga, have petitioned this Town Board to abandon and discontinue said street as a Town highway, and

WHEREAS, investigation has indicated that such paper street was never deeded to the Town nor has it been used as a Town highway for more than six years last past, and

WHEREAS, the Superintendent of Highways has recommended that such proposed abandonment/discontinuance be effectuated, NOW, THEREFORE, BE IT

RESOLVED, that said portion of Speidel Avenue, as more particularly described in the Petition for Abandonment and Discontinuance, be and the same is hereby abandoned and discontinued as a Town highway under Sections 205 and 207 of the Town Law, and BE IT FURTHER

RESOLVED, that members of the Town Board be and hereby are authorized and directed to execute the written consent to such abandonment/discontinuance.

Upon Roll Call....

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

Item No. 9a Motion by Councilman Blachowski Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga, on September 13, 1988, gave Mr. & Mrs. Joseph Christ, Jr., a Housing Rehabilitation Community Development loan for property owned by them and located at 611 Cleveland Drive, Cheektowaga, New York, and

WHEREAS, Mr. & Mrs. Christ are now applying for a separate mortgage loan through General Motors Acceptance Corporation, and GMAC 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. Christ and the Town's Housing Rehabilitation Community Development loan for 611 Cleveland Drive, Cheektowaga, NY and any other documents necessary to effectuate the Subordination Agreement.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga has received funding from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, for the 1991-92 Program Year, and

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

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

WHEREAS, funding for such services has been included in the Town's 1991-92 Community Development Block Grant application, NOW, THEREFORE, BE IT

Item No. 9b continued

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

FURTHER RESOLVED, that the fee paid to Supportive Services be in the amount of \$5,600.00, said fee to be paid from the Fiscal Year 1991-92 Community Development Block Grant Funds, Account No. 0700-1091-0708.

Upon Roll Call....

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

Item No. 9c Motion by Councilman Blachowski Seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga acquired property located at 1277 Walden Avenue from the County of Erie in March of 1991 for possible use in connection with the proposed commerce park on Walden Avenue, and

WHEREAS, after evaluating such property, this Town Board and the Cheektowaga Economic Development Corporation are in agreement that such property is not needed in connection with the Walden Avenue Commerce Park, and

WHEREAS, 1277 Walden Avenue is of no other use to the Town and is surplus property, and

WHEREAS, by resolution dated October 7, 1991, this Town Board directed that a Notice of Sale for 1277 Walden Avenue be published and thereafter offers were received for the purchase of this property, and

WHEREAS, the highest offer was submitted by D.J.H. Enterprises, Inc. d/b/a Danni-Marc Builders for \$37,500.00, and

WHEREAS, this Board feels that such offer represents the fair market value for this property and should be accepted, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned offer be and hereby is accepted by this Town Board, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents, including a deed, in connection with the sale of 1277 Walden Avenue, and BE IT FURTHER

RESOLVED, that 50% of the net proceeds, less moneys spent by the Town, from this sale shall be transmitted to the County of Erie, and BE IT FURTHER

RESOLVED, that, pursuant to Section 64(2) of the Town Law, this sale is subject to a permissive referendum, and the Town Clerk is directed to publish the attached Notice 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 November 18, 1991, adopted a resolution authorizing the sale of a two-family dwelling located at 1277 Walden Avenue in the Town, for \$37,500.00. Fifty percent of the net proceeds from the sale, less expenses, will be remitted to the County of Erie; the remaining moneys will belong to the Town of Cheektowaga.

Item No. 9c continued

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: November 18, 1991

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 Solecki, Rogowski and Blachowski

NAYES: 0

ABSENT: Councilman Jaworowicz, and Councilman Gabryszak

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.....NOV. 21, 1991.....;
last publication.....NOV. 21, 1991.....;
and that no more than six days intervened be-
tween publications.

LEGAL NOTICE
NOTICE OF ADOPTION OF
RESOLUTION
SUBJECT TO PERMISSIVE
REFERENDUM
NOTICE IS HEREBY GIVEN, that
the Town Board of the Town of Cheek-
towaga, on November 4, 1991,
adopted a resolution authorizing the
sale of a two-family dwelling located
at 1277 Walden Avenue in the Town,
for \$37,500.00. Fifty percent of the net
proceeds from the sale, less expenses,
will be remitted to the County of Erie;
the remaining moneys will belong to
the Town of Cheektowaga.
TAKE FURTHER NOTICE that
such resolution is subject to permis-
sive referendum under Article 7 of the
Town Law of the State of New York.
Dated: November 4, 1991
BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CHEEKTOWAGA, ERIE COUNTY,
NEW YORK.
RICHARD M. MOLESKI
Town Clerk
PUBLISH: November 21, 1991

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

Sworn to before me this21st.....

day ofNovember....., 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

MEETING NO. 26
November 18, 1991

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

WHEREAS, to alleviate traffic congestion in the Losson Road area, this Town Board is desirous of extending Wedgewood Drive out to Losson Road, and

WHEREAS, in order to so extend Wedgewood Drive, the Town needs to acquire property owned by Lucile M. Waltz Rogers and Lester C. Waltz, and

WHEREAS, an appraisal of this land prepared on behalf of the Town states that this property is valued at \$50,000, and

WHEREAS, the owners of this property have agreed to sell such land to the Town for \$50,000, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached contract for the purchase of this land for \$50,000, plus tax adjustments, and BE IT FURTHER

RESOLVED, that moneys for such land purchase shall be appropriated from budget line item number #5110-1910-9101.

* SEE NEXT PAGES

Upon Roll Call....

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

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold, the above granted premises unto the said party of the second part, its distributees and assigns forever.

And said parties of the first part covenant as follows:

First, that the party of the second part shall quietly enjoy the said premises;

Second, that said parties of the first part will forever Warrant the title to said premises.

Third, that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.

In Witness Whereof, the parties of the first part have hereunto set their hand(s) and seal(s) the day and year first above written.

In Presence of

Lucile M. Waltz Rogers ls
Lester C. Waltz ls
ls
ls

State of New York
County of ERIE

On this 3rd day of December Nineteen Hundred and Ninety-One before me, the subscriber, personally appeared LUCILE M. WALTZ ROGERS and LESTER C. WALTZ

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1993

State of New York
County of

On this day of Nineteen Hundred and before me, the subscriber, personally appeared

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

Doc #480

Warranty with Lien Covenant (Individual)

LUCILE M. WALTZ ROGERS and LESTER C. WALTZ, as tenants in common each with an undivided one-half interest

to

TOWN OF CHEEKTOWAGA

Dated Dec 3, 1991

LIBER 10358 PG 166

THIS SPACE FOR CLERK'S TIME STAMP (Do not write in this space.)

This Indenture,

December

Made the 3rd

day of

Nineteen Hundred and Ninety-One

Between LUCILE M. WALTZ ROGERS and LESTER C. WALTZ, as tenants in common each with an undivided one-half interest, residing at Cheektowaga, New York 14227,

parties of the first part, and

TOWN OF CHEEKTOWAGA, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227,

party of the second part,

Witnesseth, that the parties of the first part, in consideration of ONE AND MORE-----
-----Dollars (\$ 1 & More

lawful money of the United States,
paid by the party of the second part, do hereby grant and release unto the party of the second part, its distributees and assigns forever,

All that Tract or Parcel of Land,

situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 48, Township 10, Range 7 of the Buffalo Creek Reservation, described as follows:-

Beginning at a point distant one hundred twenty-five (125) feet east of the west line of Lot No. 48 which west line is also the west line of lands conveyed to Clarence M. Waltz and Lucy T. Waltz his wife by deeds recorded in the Erie County Clerk's Office in liber 1894 of Deeds page 146 and liber 1761 of Deeds page 545, which point is thirty-three (33) feet south of the center line of Losson Road which center line is also the north line of Lot No. 48 and which beginning point is also at the northeast corner of lands conveyed to James E. Bollman and Donna L. Bollman his wife by deed dated and recorded May 31 1985 in the Erie County Clerk's Office in liber 9450 of Deeds page 540: running thence easterly on a line parallel to the center line of Losson Road sixty (60) feet to a point: running thence southerly on a line parallel with the west line of Lot No. 48, distant six hundred forty-one and fifty-two hundredths (641.52) feet to a point, which point is the south line of lands conveyed to Clarence M. Waltz and Lucy T. Waltz his wife by deeds aforesaid: running thence westerly along said south line of lands conveyed to Clarence M. Waltz and Lucy T. Waltz his wife by deeds aforesaid distant sixty (60) feet to a point in the east line of lands conveyed to James E. Bollman and Donna L. Bollman his wife by deed aforesaid: running thence northerly along said east line of Bollman's lands six hundred forty-one and fifty-two hundredths (641.52) feet to the point and place of beginning.

Chg 48 '97

C/KG-0
B197694-16
1-2-0

LIBER 10358PC165



This Contract is recommended for the sale of residential real estate,
whether improved or unimproved,
but is not recommended for the sale of a condominium or townhouse.



CONTRACT

CAUTION: IT IS RECOMMENDED THAT ANY PERSON NAMED IN THIS CONTRACT
CONSULT HIS OR HER ATTORNEY BEFORE SIGNING.

Date: November, 19 91, Seller and Purchaser agree as follows:

Seller: Lucile M. Waltz Rogers and Lester C. Waltz
Address: 1051 Losson Road, Cheektowaga, New York 14227

Purchaser: Town of Cheektowaga
Address: Broadway & Union Road, Cheektowaga, New York 14227

AGREEMENT. Seller shall sell and Purchaser shall buy on the terms stated in this Contract.
PROPERTY. The Property is described as follows:

Street address westerly 60 feet of 1051 Losson Road (vacant land)

City, Village, Town of Cheektowaga, County of Erie _____, State of New York

Additional description and/or premises as per attached survey. (If legal description, subdivision lot number, or dimensions and location with distance from nearest intersecting street are not available, use tax bill number and description set forth on tax bill.)

Vacant land lying on the south side of Losson Road
Land between terminus of Wedgewood Drive and south line of Losson Road
Having a frontage of 60 feet on Losson Road and a depth of 641± feet
Westerly 60 feet of Assessor's S.B.L. #114.19-4-1.10

Purchaser will accept the Property subject to restrictions of record providing they do not conflict with the present or intended specific improvements or uses of the Property as described in Paragraph 14 of this Contract, and have not been violated, unless their enforcement is barred by law; water lines, sanitary sewer, drainage, gas distribution line and main, electrical and telephone easements and rights-of-way of record provided they are or may be used to service the Property and provided buildings and other improvements on the Property are not on the easements; and also _____

PRICE. The purchase price is \$ 50,000.00
payable as follows:
When Purchaser signs this contract (deposit) \$ 0
When Seller signs this contract (additional deposit) within 48 hours thereafter \$ 0
On delivery of deed (in cash or certified funds) \$ Adjusted Balance *

*(purchase price less deposits and mortgage amounts, if any, shown in Paragraph 11B, 4 or 5, below, subject to closing adjustments and exact balance at time of closing of assumed mortgage, if any.)

THIS SALE INCLUDES. "CAUTION: READ THIS CAREFULLY"

- (a) all buildings and improvements on the Property and all rights of Seller to all streets, highways, alleys, driveways, easements and rights-of-way relating to the Property.
- (b) the following items, if presently on the Property belong to the Seller and are included (unless excluded below): all heating, plumbing, lighting fixtures and bulbs, all flowers, shrubs, trees (except free standing), linoleum, window shades, curtain rods, traverse rods, storm windows and storm doors, screens, awnings, exterior T.V. antennas and rotor motor and controls, water softeners, sump pumps, bathroom fixtures, matching mirrors over vanities, weather vanes, window boxes, fences, chandeliers, flag poles, fireplaces, fireplace screens, grates and glass enclosures, wall to wall carpeting and runners; garbage disposals, garage door openers including hand-held units, ceiling fans, exhaust fans and hoods, air conditioning (except window) units, oil and gas-fired space heaters, woodburning stoves, fireplace inserts, all style window and door blinds, security system, intercom system, smoke detectors, and also (unless such items are free standing) all cabinets, mirrors, dishwashers, ovens, ranges, shelving, trash compactors, humidifiers and dehumidifiers, gas operated post-type outdoor grills, swimming pools and pool equipment, mailboxes, utility sheds, and also _____

Seller represents that all of the above will be in working order at the time of closing unless specifically sold "as is", on the date of this Contract, by listing as follows: _____

EXCLUDED FROM THIS SALE ARE: Furniture and household furnishings; and also _____

5. ADJUSTMENTS AT CLOSING. There shall be prorated and adjusted, as of 12:00 midnight prior to delivery of the deed, rents, fuel oil, mortgage interest, non-delinquent taxes and assessments appearing on current tax bills computed on a fiscal year basis, water and sewer charges and the following items (list insurance, or other items to be adjusted) _____

For adjustment purposes, all rents will be considered paid to the Seller, if due at the date of adjustment. Purchaser will accept title to the Property subject to, and will pay, all assessments and installments of assessments for special or local improvements not yet due and payable as of the closing date, provided they appear on the current tax rolls.

When a mortgage is assumed, Seller shall furnish to Purchaser at closing a statement by the mortgage holder stating the unpaid balance, interest due and terms of payment and shall transfer to Purchaser all money held in escrow by the mortgage holder and Purchaser shall pay the amount to Seller. Purchaser shall then, within five days after closing, notify mortgage holder of the assumption and comply with all requirements of mortgage holder to facilitate the assumption.

6. SEARCH AND SURVEY. Seller shall order from an abstract company, the search, and order the survey, within ten days after execution of the Contract and shall deliver the same not less than twenty-one days before the closing date shown in Paragraph 17 hereof. Search shall be a fully guaranteed tax and title search which covers the premises only, the first set-out of which shall be the first recorded source of title in Erie County Clerk's office, the last continuation of which shall be dated after this Contract and where not covered by the search, a local tax certificate. The survey shall be dated after this Contract, prepared and certified according to Bar Association of Erie County standards, certified to Purchaser's lender according to its requirements, and show the Property and location of all buildings, other structures, and improvements affecting it. If vacant land, the Property is to be staked.

7. DEED. At closing, Seller shall deliver to Purchaser a warranty deed (or fiduciary deed where appropriate) with lien covenant giving good and marketable title in fee simple, free and clear of all encumbrances except as stated in this Contract. In the event Seller is a corporation, Seller may deliver to Purchaser a bargain and sale deed with covenant against grantors' acts.

8. LENDERS APPRAISAL AND FINAL INSPECTION. Seller shall have utilities in service at time of mortgage lender's appraisal-inspection. Before closing (but after written mortgage commitment has been obtained), Purchaser shall have the right to inspect the Property with utilities in service at Seller's expense on reasonable notice to Seller.

9. POSSESSION. Subject only to tenancies recited in Paragraph 10 below, Purchaser shall have possession and occupancy of all the Property and Seller shall be out of the Property at the time of delivery of the deed.

10. TENANTS. The premises are subject to the following tenancies: (List all tenants, rents leases and expiration dates and security deposits if any). _____

All security deposits will be turned over to the Purchaser at closing and notice of same shall be delivered by Seller to the tenant within five days after closing.

Seller represents that the premises are are not subject to rent control.

Seller shall not enter into any lease agreements prior to closing without the written approval of Purchaser.

Seller shall furnish copies of all leases to Purchaser prior to closing.

Seller represents there are no known defenses available to tenants as to enforcement of Seller's rights as landlord.

11. FINANCING.

A. ALL CASH PURCHASE. NO MORTGAGE TO BE OBTAINED.

B. MORTGAGING.

NOTE: More than one type can be selected, but Purchaser is not required to apply for all types selected.

1. Purchaser shall apply for a _____ year conventional FIXED rate mortgage loan in an amount not to exceed \$ _____ and at an interest rate of _____ % plus private mortgage insurance, if required. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment interest rate, as long as the rate does not exceed _____ % plus private mortgage insurance, if required, at the time of closing, and as long as the Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

2. Purchaser shall apply for a _____ year conventional ADJUSTABLE rate mortgage loan in an amount not to exceed \$ _____ plus private mortgage insurance, if required, and at an initial rate of _____ %. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment interest rate, as long as the initial interest rate does not exceed _____ % plus private mortgage insurance, if required, at the time of closing and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

— OR —

3. Purchaser shall apply for a _____ year VA FHA FHA 221 d2
a. FIXED rate mortgage in an amount not to exceed \$ _____ plus mortgage insurance premium, if required, and at an interest rate of _____ % plus mortgage insurance premium, if required. However Purchaser agrees to accept any mortgage commitment, interest rate, or any changed commitment interest rate, as long as the rate does not exceed _____ % plus mortgage insurance premium, if required, at the time of closing, and as long as Purchasers' loan fees do not exceed those listed in Paragraph 12 below.

Seller's initials _____ Date _____

Purchaser's initials _____ Date _____

Seller's initials _____ Date _____

Purchaser's initials _____ Date _____

b. ADJUSTABLE rate mortgage loan in an amount not to exceed \$ _____ plus mortgage insurance premium, if required, and at an initial interest rate of _____ %. However, Purchaser agrees to accept any mortgage commitment interest rate, or any changed commitment, interest rate, as long as the initial rate does not exceed _____ % plus mortgage insurance premium, if required, at the time of closing, and as long as Purchaser's loan fees do not exceed those listed in Paragraph 12 below.

OPTION CLAUSE: VETERANS ADMINISTRATION and FEDERAL HOUSING ADMINISTRATION loans only. It is expressly agreed that, notwithstanding any other provisions of this contract, the purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise, in those cases involving a VA loan, if the contract purchase price or cost exceeds the reasonable value of the property established by the Veterans Administration or in those cases to be insured by the Federal Housing Administration unless the seller has delivered to the purchaser a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property (excluding closing costs) of not less than \$ _____ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner or reasonable value established by the Veterans Administration. In those cases involving FHA, the appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the property. The Purchaser should satisfy himself/herself that the price and the condition of the property are acceptable.

Purchaser's application shall be made promptly and in good faith, but in no case later than _____ days after execution of this Contract by all parties. If a written commitment (expiring after the closing date) for this mortgage is not received by the Purchaser by the _____ day of _____, 19 ____, either Purchaser or Seller may cancel this Contract by written notice to the other and the entire deposit (less survey certification charge) shall be returned. The same shall apply if the commitment is granted but later cancelled without the fault of the Purchaser.

4. By assuming and agreeing to pay according to its terms the principal balance of the _____ mortgage held by _____ in the approximate amount of \$ _____ payable \$ _____ monthly, interest rate _____ %. Monthly payments include _____ Interest rate is adjustable _____ 1 year _____ 3 years _____ months _____ other.

The mortgage has no "balloon" payment provision.
 has a "balloon" payment due _____.

A "balloon" payment is a required payment in full by a specific date of all unpaid principal and interest. If mortgage holder's consent to assume this mortgage is required and not obtained by the _____ day of _____, 19 ____, either Purchaser or Seller shall have the right to cancel this Contract by written notice to the other and all deposits will be returned to the Purchaser. If by the above date, consent for assumption is given only at an interest rate in excess of _____ % Purchaser shall have the right to cancel this Contract by written notice to Seller and all deposits will be returned to the Purchaser.

5. By giving Seller a purchase money note and mortgage (Bar Association of Erie County Form) in the amount of \$ _____ which shall be a _____ lien on the Property payable as follows: \$ _____ monthly including, principal and interest (interest rate _____ %), monthly payment is based on payments being made for _____ years, but entire unpaid balance is due at end of _____ years, with no penalty for prepayment.

NOTE: The Bar Association of Erie County Form Mortgage contains a due-on-transfer provision, and is not assumable.

- 12. MORTGAGE LOAN FEE. (Complete if applicable).
Seller shall pay loan fee of no more than _____ % of the mortgage.
Purchaser shall pay loan fee of not more than _____ % of the mortgage.
Purchaser shall pay Private Mortgage Insurance Fee of not more than _____ % of the mortgage.
- 13. COSTS. Seller shall pay for tax and title search to date of closing and for survey, transfer tax stamps and the special additional mortgage tax if it applies. Purchaser shall pay mortgage tax, fee for recording deed and mortgage, fee for survey certification charge as required by its lender (even if mortgage not approved), mortgage holders assumption fee, private mortgage insurance premium, if applicable, and all inspection and reinspection fees charged by its lender, unless otherwise agreed upon.
- 14. OBJECTION TO TITLE AND TITLE INSURANCE. If Purchaser finds valid objections to Seller's title which make it unmarketable, Purchaser shall either:
a. Accept the title as presented.
b. Advise Seller of Purchaser's objections, allow Seller the later of ten days after receiving notice of the objections, or the closing date herein, in which to cure the objection, and then accept the title once cured.

Provided, however, that if Seller cannot cure the objection, but, a fee title insurance policy covering the objection can be obtained, then Purchaser must accept same. Seller shall pay the cost of such fee title insurance at the full rate if no mortgage title insurance is required by lender, or in the event mortgage title insurance is required by lender, then Seller shall pay the cost of such fee title insurance at the reduced simultaneous rate. Purchaser will pay for title insurance required by its lender. If Purchaser elects not to accept such title as Seller can convey, and Seller cannot with due diligence cure the defect, nor obtain fee title insurance covering the objection, then this Contract shall terminate. In this event, the Purchaser shall have the deposit returned to him together with reimbursement from the Seller for any non-refundable fees paid by Purchaser to Purchaser's lender to obtain a commitment for a mortgage loan, and neither party shall have any further rights as against the other.

15. IMPROVEMENT VIOLATIONS. Purchaser intends to use the Property for ~~Single Family~~ ~~Two Family~~ ~~Three Family~~ ~~Four Family~~ dwelling or Other _____ public highway and with the following intended specific improvements, or uses, if any (e.g. erection of perimeter fence, swimming pool, parking for recreational vehicles, erection of garage or other structural addition). If any intended uses are specifically listed below, Seller will provide Purchaser with a copy of restrictions (not including zoning ordinances) within twenty days after execution of this Contract by all parties for review and approval by Purchaser within five days after receipt of same. _____

Seller shall apply for and supply to Purchaser a current certificate if required by government regulations showing that the Property complies with any law, ordinance, regulation or code, including County Health Department approval of non-public sewage disposal system and water supply. Seller shall pay any cost in applying for such certification(s).

Seller represents that there is is not a private septic system.

Check Which. is is not a private well.

If Property is unimproved, Seller represents that there is is not currently available public water at lot location.

If Property is unimproved, Seller represents that there is is not currently available sewer at lot location.

If Purchaser makes valid objection to the legal status of the improvements on the Property or to the Property itself or if Seller is unable to obtain the certification(s) mentioned above without costs, except for application fees, the Seller has the choice of cancelling the Contract on written notice to the Purchaser and returning the full deposit or correcting at Seller's expense the problem(s) which caused the objection within a reasonable time so that the certification(s) may be obtained.

16. CLOSING FUNDS. The Purchaser represents that except for the proceeds of any mortgage financing described in this Contract, the Purchaser is is not in actual possession of sufficient funds to close this transaction, and does does not require the closing of the sale of any other real estate to obtain sufficient funds. CAUTION: This paragraph does not create a contingency. If Purchaser intends to make this Contract contingent upon the sale of real estate, The Bar Association of Erie County Contingency Rider should be used.

17. CLOSING. This Contract shall be closed at the County Clerk's office on the 31st day of December, 19 91, or at such other time and place as Seller and Purchaser mutually agree upon. Time is not of the essence as to the closing date; either party may after the above date, upon reasonable notice, declare time to be of the essence and set such a closing date.

18. BROKER'S COMMISSION. Seller and Purchaser agree brought about this sale and the Seller agrees to pay the entire broker's commission. Seller authorizes his attorney to pay any balance of sale commission owed out of sale proceeds. The deposit(s) shall be held in escrow by N/A

19. CONDITION OF PROPERTY. Purchaser has satisfied himself/herself that the price and condition of the Property and its contents are acceptable.

20. ENTIRE AGREEMENT. This Contract of sale with (insert "no" or number) Riders contains the entire agreement between the Seller and Purchaser and nothing is binding on either of them which is not contained in this Contract. This Contract is intended to bind the Seller and Purchaser and those who succeed to their interests.

21. SIGNATURES. Unless all of the persons whose names appear at the beginning of the Contract sign it on or before the day of 19, this Contract shall not become effective.

Seller Date SS No.

Purchaser Date SS No.

Seller Date SS No.

Purchaser Date SS No.

Seller Date SS No.

Purchaser Date SS No.

Sellers' Forwarding Address Following Closing:

RECEIPT OF DEPOSIT:

Received the initial deposit of \$ on account from Purchaser.

Agent's Signature.

Seller's Attorney

Purchaser's Attorney

Proposed Lender

Name: Sydney Lyle Teibel
Address: 100 Corporate Pkwy., Suite 414
City - State - ZIP: Amherst, NY 14226
Tel. No.: 833-1200

Name: Kevin G. Schenk
Address: Broadway & Union Rd.
City - State - ZIP: Cheektowaga, NY 14227
Tel. No.: 686-3457

Name:
Address:
City - State - ZIP:
Tel. No.:

Listing Broker

Selling Broker

Item No. 10 Motion by Councilman Rogowski Seconded by Councilman Solecki

WHEREAS, the Department of Youth and Recreational Services has received funding through the U.S. Department of Health and Human Services (grant #1 H862P04160-01A1) to establish the Community Partnership Substance Abuse Program, AND

WHEREAS, the grant provides funding for the establishment of an Administrative Assistant position pending jurisdictional classification by the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED, that the position of Administrative Assistant is hereby created in the Youth and Recreational Services Department.

Upon Roll Call....

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

Item No. 11a Motion by Councilman Blachowski Seconded by Councilman Rogowski

WHEREAS, due to the transfer of an employee to the position of Patrolman, a permanent vacancy exists in the position of Public Safety Dispatcher, AND

WHEREAS, the Civil Service list for said position was canvassed and candidates interviewed, AND

WHEREAS, Donald Gordon, whose name appears on said list and who has been working as a Public Safety Dispatcher on a part-time basis with the Town, is interested in this vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Donald Gordon of 231 Temple Drive, Cheektowaga, New York 14225, be and hereby is appointed to the permanent position of Public Safety Dispatcher, effective immediately, and at a salary as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association.

Upon Roll Call....

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

Item No. 11b Motion by Councilman Blachowski Seconded by Councilman Rogowski

WHEREAS, a temporary vacancy exists in the position of Clerk-Typist in the Police Department, AND

WHEREAS, as per Section 18.02(b) of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, this Town Board is interested in filling said vacancy, AND

WHEREAS, Cathleen Chojnacki has applied for said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Cathleen Chojnacki of 96 LeHarve Drive, Cheektowaga, New York 14227 be and hereby is appointed to the temporary vacancy of Clerk-Typist in the Police Department, effective immediately and at a starting salary of \$9.322 per hour, AND, BE IT FURTHER

RESOLVED, that said appointment shall not exceed a period of 30 days.

Upon Roll Call....

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

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

BE IT RESOLVED, that the following Seasonal and Part-Time employees be and hereby are terminated as listed:

SANITATION DEPARTMENT

EFFECTIVE

Allan D. Cialone	Immediately
Thomas Sikora	"
James Florek	"
Eric Fragale	"

Upon Roll Call....

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

Item No. 13a 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 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.

POLICE DEPARTMENT - ANIMAL CONTROL OFFICER - \$6.00 per hour

EFFECTIVE

Thomas G. Dryja	Immediately
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Upon Roll Call....

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

Item No. 13b Motion by Councilman Rogowski 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:

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

EFFECTIVE

John Strong	Immediately
Thomas Jakubowicz	"
Salvatore LaGambina	"
Christopher Rosmus	"

Upon Roll Call....

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

The above resolution failed due to lack of majority vote of the Town Board

Item No. 14 Councilman Solecki Seconded by Councilman Rogowski

WHEREAS, due to medical illness, Council Secretary Karen Waldron was unable to work from October 24, 1991 to November 8, 1991, and was only able to work one-half days from November 11 - 15, 1991, and

Item No. 14 continued

WHEREAS, Council Clerk/Stenographer Kathleen Orr assumed the duties of Council Secretary during this time, and this Board feels that she should be adequately compensated for same, NOW, THEREFORE, BE IT

RESOLVED, that, effective from October 24, 1991 to November 8, 1991, Kathleen Orr shall be paid at the rate of the salary of the Council Secretary (\$27,692.60), as established by this Town Board by resolution dated January 7, 1991, and BE IT FURTHER

RESOLVED, that, effective from November 11 - 15, 1991, Kathleen Orr shall be paid one-half day for each day at the rate of salary established for Council Secretary, and one-half day for each day at the rate of salary established for Council Clerk/Stenographer, and BE IT FURTHER

RESOLVED, that moneys for such additional salary shall be appropriated from budget line item number 0100-1010-1361.

Upon Roll Call....

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

Item No. 15 Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, Raymond Nowak, Cleaner in the Facilities Department, has exhausted all of his sick leave, personal leave and vacation time, AND

WHEREAS, Raymond Nowak is currently under doctor's care and has requested an extension of sick leave payments for a period of fifteen (15) days, AND

WHEREAS, as per Section 8.02(e) of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, the Town Board can grant this request, provided such payments are repaid to the Town upon the employee's return to service, NOW, THEREFORE, BE IT

RESOLVED, that Raymond Nowak be and hereby is granted extended sick leave payments for a period of fifteen (15) days, effective November 22, 1991, AND, BE IT FURTHER

RESOLVED, that said payments will be repaid to the Town by Mr. Nowak upon his return to service.

Upon Roll Call....

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

* * * * *

Motion by Supervisor Swiatek and seconded by Councilman Blachowski to dispense reading the figures in the following item and the voting was as follows:

Upon Roll Call....

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

* * * * *

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 hereof:

Item No. 16 continued

GENERAL FUND

From:	0100-1420-4501	Contracted Legal Services	\$1,500.00
	0100-1440-4042	Maps-Engineering	150.00
	0100-1440-4191	Misc. Expenses-Engineering	950.00
	0100-1440-4325	Copy Machine Supplies-Eng.	1,000.00
	0100-1910-4711	Contingency	2,200.00
	0100-1910-4711	Contingency	3,204.36
	0100-9010-8101	Employee Retirement	6,732.00
	0100-9010-8111	Police Retirement	11,360.00
	0100-1640-4448	Auto Washing-Central Garage	1,140.00
To:	0100-1420-4013	Law Books	\$1,500.00
	0100-1440-2501	Equipment-Engineering	2,100.00
	0100-1110-4592	Contracted Clerical	2,200.00
	0100-1220-1374	Clerk Typist-Supervisor	9,936.36
	0100-3510-1413	Dog Control Office	5,000.00
	0100-1640-1443	Auto. Body Repair-Central Garage	3,000.00
	0100-1220-1374	Clerk-Typist Supervisor	3,360.00
	0100-1640-1391	Part-Time Clerical	1,140.00

HIGHWAY FUND

From:	0300-5141-1374	Clerk-Typist	\$1,800.00
	0300-5141-1412	Laborers	15,000.00
	0300-5141-1374	Clerk-Typist	2,000.00
	0300-9010-8101	Employee Retirement	6,500.00
	0300-9010-8143	Retirees Medical Insurance	10,000.00
	0300-9010-8141	Employees Medical Insurance	7,857.47
	0300-9010-8121	Social Security	10,000.00
	0300-5148-4029	Supplies-Services from other Governments	2,000.00
	0300-8210-4568	Storm Sewer Cleaning	25,000.00
	0300-5141-1391	Part-time Clerk	1,800.00
	0300-5141-1491	Seasonal	17,000.00
	0300-5141-1201	General Crew Chief	34,357.47
	0300-8540-4572	Creek Maintenance	27,000.00

SPECIAL DISTRICTS FUND

From:	2500-8135-4453	Building Repairs-Treatment P.	\$4,000.00
	2500-8125-4087	Training, Seminars-Sewer #5	1,100.00
	2500-8135-4087	Training, Seminars-Treatment P.	1,100.00
To:	2500-8135-4164	Gas, Oil, Grease, Treatment Plt.	4,000.00
	2500-8125-2201	Office Equipment-Sewer #5	2,200.00

HUD-CDBG FUND

From:	0700-8612-5720	Cedargrove Heights Storm Sewer	\$ 200.00
	0700-1091-0720	Cedargrove Heights Drainage	23,140.96
	0700-8669-5801	Rehab-AHC March	44,097.00
	0700-8617-8705	Economic Development	150,000.00
	0700-8669-5778	Depew Rehab-1985	2,870.13
	0700-8669-8778	Depew Rehab-1988	10,734.75
	0700-8669-9778	Depew Rehab-1989	26,764.78
	0700-8669-0778	Depew Rehab-1990	365.09
	0700-5091-0600	Depew Rehab-1991	15,000.00
To:	0700-8669-5770	Cheektowaga Rehab-1985	\$ 200.00
	0700-1091-0600	Cheektowaga Rehab-1990	23,140.96
	0700-8669-5770	Cheektowaga Rehab-1985	44,097.00
	0700-8669-8770	Cheektowaga Rehab-1988	150,000.00
	0700-8669-5770	Cheektowaga Rehab-1985	2,870.13
	0700-8669-8770	Cheektowaga Rehab-1988	10,734.75
	0700-8669-9770	Cheektowaga Rehab-1989	26,764.78
	0700-8669-0770	Cheektowaga Rehab-1990	365.09
	0700-1091-0600	Cheektowaga Rehab-1991	15,000.00

Item No. 16 continued

RISK RETENTION FUND

From:	1000-1930-4703	Judgements & Claims-Workers Compensation	\$20,000.00
To:	1000-1932-4703	Judgements & Claims - General Liability	\$20,000.00

Upon Roll Call....

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

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

BE IT RESOLVED, that the following vouchers and warrants are submitted to the Town of Cheektowaga prior to November 18, 1991, are hereby approved and made a part hereof:

GENERAL FUND	\$95,469.54
HIGHWAY FUND	13,148.95
TRUST AND AGENCY FUND	41,875.36
CDBG HUD FUND	18,684.41
PART TOWN FUND	2,232.51
DEBT SERVICE FUND	53,597.60
RISK RETENTION FUND	27,726.11
STATE AHC FUND	1,570.80
HUD REHABILITATION FUND	5,175.00
SPECIAL DISTRICTS FUND	254,055.54
CAPITAL FUND	105,439.84
	<u>\$618,975.66</u>

Upon Roll Call....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Supervisor's Statement of Funds/August, 1991
Received and Filed

Item No. 19a Minutes of Cheektowaga Planning Board/October 10, 1991
Received and Filed

Item No. 19b Minutes of Cheektowaga Library Board/October 24, 1991
Received and Filed

IV. GENERAL COMMUNICATIONS

Item No. 20 NYSDOT - Notice of Order: Removal of Signal 334P located at Rt. 33,
Genesee Street and Arvin Calspan east driveway.
Copies were sent to: Chief of Police; Highway Department; Traffic
Safety Commission
Received and Filed

Item No. 21a Notice of Claim: Grace and Benedict Baker 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. 21b Notice of Claim: Joseph Kwiatkowski 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. 21c Notice of Claim: Phillip Whitney 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

* * * * *

Motion by Supervisor Swiatek and seconded by Councilman Rogowski to suspend the
rules to include the following resolutions and the voting was as follows:

Upon Roll Call....

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

* * * * *

V. SUSPENSION OF RULES

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

WHEREAS, by resolution, this Town Board granted Daniel Whitehead a
one (1) year leave of absence for personal and educational purposes, AND

WHEREAS, this leave is due to expire on December 1, 1991 and the
employee has indicated his desire to return to work on November 25, 1991, NOW,
THEREFORE, BE IT

RESOLVED, that Daniel Whitehead be reinstated to his position of
Patrolman in the Police Department effective November 25, 1991.

Upon Roll Call....

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

Item No. 23 Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, due to personal reasons, Josephine Ratajczak, a Cleaner in
the Facilities Department, has requested an unpaid leave of absence from December
16, 1991 thru and including December 20, 1991, NOW, THEREFORE, BE IT

RESOLVED, that Josephine Ratajczak be and hereby is granted an unpaid
leave of absence from December 16, 1991 thru and including December 20, 1991.

Upon Roll Call....

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

Item No. 24 Motion by Supervisor Swiatek and seconded by Councilman Rogowski to
adjourn the meeting.

RICHARD M. MOLESKI,
Town Clerk

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 26th day of November 1991 at 6:30 o'clock P.M., Eastern Standard Time there were:

PRESENT: Supervisor Frank E. Swiatek
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

ABSENT: Councilman Dennis H. Gabryszak

Also present were: Mary F. Holtz, Deputy Town Clerk; James Kirisits, Town Attorney; Chester L. Bryan, Town Engineer; Ronald Marten, Supervising Building Inspector; Salvatore LaGreca, Chairman of Planning Board; Thomas Adamczak, Building Inspector; and Andrew Kulyk, Chairman of the Zoning Board

I. RESOLUTIONS

Item No. 2a Bond: Acquisition of hydraulic lift, computer hardware and software and semi-automatic pistols

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at: 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present:

Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

*

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*

Present Town Board
Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE ACQUISITION OF (A) A HYDRAULIC
LIFT FOR USE AT THE TOWN'S CENTRAL GARAGE, (B)
COMPUTER HARDWARE AND SOFTWARE, AND (C) SEMI-
AUTOMATIC PISTOLS FOR USE BY THE POLICE
DEPARTMENT, STATING THE ESTIMATED TOTAL COST
THEREOF IS \$252,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF
\$252,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
acquire the following: (a) a hydraulic lift for use at the Town's
Central Garage at the estimated maximum cost of \$32,400, (b)
computer hardware and software at the estimated maximum cost of
\$177,600, and (c) semi-automatic pistols for use by the Police
Department at the estimated maximum cost of \$42,000. The
estimated total cost of said specific objects or purposes,
including preliminary costs and costs incidental thereto and the
financing thereof, is \$252,000 and said amount is hereby
appropriated therefor. The plan of financing includes the

issuance of serial bonds of the Town in the aggregate principal amount of \$252,000 and to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the aggregate principal amount of \$252,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific objects or purposes authorized pursuant to Sections 1(a) and 1(b) of this resolution and for which \$210,000 of said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 32. of the Law, is five (5) years. The period of probable usefulness of said specific object or purpose authorized pursuant to Section 1(c) of this resolution and for which \$42,000 of said serial bonds authorized pursuant to this resolution are to be issued, with the limitations of Section 11.00 a. 86(b) of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said

bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

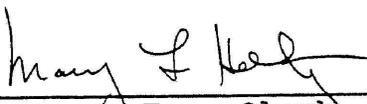
Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

* * *

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

LEGAL NOTICE
BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED NOVEMBER 26, 1991, AUTHORIZING THE ACQUISITION OF (A) A HYDRAULIC LIFT FOR THE USE AT THE TOWN'S CENTRAL GARAGE, (B) COMPUTER HARDWARE AND SOFTWARE, AND (C) SEMI-AUTOMATIC PISTOLS FOR USE BY THE POLICE DEPARTMENT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$252,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$252,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

NOTICE

The resolution published herewith has been adopted on the 26th day of November, 1991, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

MARY F. HOLTZ
 DEPUTY TOWN CLERK

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to acquire the following: (a) a hydraulic lift for use at the Town's Central Garage at the estimated maximum cost of \$32,400, (b) computer hardware and software at the estimated maximum cost of \$177,600, and (c) semi-automatic pistols for use by the Police Department at the estimated maximum cost of \$42,000. The estimated total cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$252,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of serial bonds of the Town in the aggregate principal amount of \$252,000 and to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the aggregate principal amount of \$252,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific objects or purposes authorized pursuant to Sections 1(a) and 1(b) of this resolution and for which \$210,000 of said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 32, of the Law, is five (5) years. The period of probable usefulness of said specific object or purpose authorized pursuant to Section 1(c) of this resolution and for which \$42,000 of said serial bonds authorized pursuant to this resolution are to be issued, with the limitations of

Section 11.00 a. 86(b) of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 5, of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

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 new
 paper is a copy, was inserted and published
 said paper once a week for week
 first publication.....
 last publication.....
 and that no more than six days intervened
 between publications.

Melanie Wolf
 5th

Sworn to before me this
 day of December....., 1991.

Margaret J. Bourdette

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

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.
 PUBLISH: December 5, 1991

J BOURDETTE
 TATE OF NEW YORK
 ERIE COUNTY
 EXPIRES 12/11/91

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2b Bond: Construction of bridge to replace Ledyard Street Bridge

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present: Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board
Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE CONSTRUCTION OF A NEW BRIDGE
TO REPLACE THE EXISTING LEDYARD STREET BRIDGE,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$420,000, APPROPRIATING SAID AMOUNT THEREFOR,
AUTHORIZING THE ISSUANCE OF \$420,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION, AND AUTHORIZING ANY AMOUNTS
RECEIVED FROM THE STATE OF NEW YORK TO BE
EXPENDED TOWARDS THE COST OF SAID OBJECT OR
PURPOSE OR REDEMPTION OF SAID BONDS ISSUED
THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE
TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND
INTEREST ON SAID BONDS.

Recitals

WHEREAS, pursuant to the State Aid Local Bridge Program as provided for by the 1988 New York State Transportation Bond Act, the Town of Cheektowaga expects to receive a grant for the construction of a new bridge over Scajaquada Creek to replace the existing Ledyard Street Bridge, and

WHEREAS, pursuant to said grant program, the Town is required to advance the cost of said bridge improvement and the Town has determined that it is now necessary and desirable and in

the best interest of the Town to provide financing for such project,

Now, therefore

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct a new bridge of stone, concrete, or steel or of a combination of two or more of these materials over Scajaquada Creek to replace the existing Ledyard Street Bridge, including the acquisition of land or rights in land. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$420,000 and \$420,000 is hereby appropriated therefor. The plan of financing includes the issuance of \$420,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is expected that any grants received from the State of New York shall be applied towards the cost of said object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$420,000, are hereby authorized to be issued pursuant

to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$420,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. of the Law, is twenty (20) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any

notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication,
or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

* * *

The adoption of the foregoing resolution was seconded by
Town Board Members
present, unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

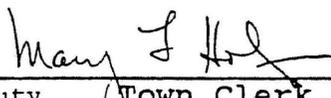
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication December 5, 1991; last publication December 5, 1991; and that no more than six days intervened between publications.

Melanie Wolf

Sworn to before me this 5th

day of December, 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

(over)

LEGAL NOTICE

RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED NOVEMBER 26, 1991, AUTHORIZING THE CONSTRUCTION OF A NEW BRIDGE TO REPLACE THE EXISTING LEDYARD STREET BRIDGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$420,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$420,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

NOTICE

The resolution published herewith has been adopted on the 26th day of November, 1991, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within

twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

MARY F. HOLTZ
DEPUTY TOWN CLERK

Recitals

WHEREAS, pursuant to the State Aid Local Bridge Program as provided for by the 1988 New York State Transportation Bond Act, the Town of Cheektowaga expects to receive a grant for the construction of a new bridge over Scajaquada Creek to replace the existing Ledyard Street Bridge, and

WHEREAS, pursuant to said grant program, the Town is required to advance the cost of said bridge improvement and the Town has determined that it is now necessary and desirable and in the best interest of the Town to provide financing for such project,

Now, therefore
THE TOWN BOARD OF THE

TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct a new bridge of stone, concrete, or steel or of a combination of two or more of these materials over Scajaquada Creek to replace the existing Ledyard Street Bridge, including the acquisition of land or rights in land. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$420,000 and \$420,000 is hereby appropriated therefor. The plan of financing includes the issuance of \$420,000 serial bonds of the Town to finance said

appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is expected that any grants received from the State of New York shall be applied towards to the cost of said object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$420,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$420,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. of the Law, is twenty (20) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and any notes issued in anticipation of the sale of said bonds and provision

shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

PUBLISH: December 5, 1991

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2c Bond: Construction of road improvements at Kensington Avenue,
Cleveland Drive and Century Road

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present:

Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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*

Present Town Board

Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26 , 1991,
AUTHORIZING THE CONSTRUCTION OF ROAD
IMPROVEMENTS AT THE INTERSECTIONS OF
KENSINGTON AVENUE, CLEVELAND DRIVE AND CENTURY
ROAD WITHIN THE TOWN, STATING THE ESTIMATED
MAXIMUM COST OF SAID PROJECT IS \$735,000,
STATING THAT \$525,000 OF SAID COST IS TO BE
PAID BY THE UNITED STATES OF AMERICA UNDER THE
FEDERAL AID AND HIGHWAY PROGRAM, APPROPRIATING
\$210,000 THEREFOR, REPRESENTING THE TOWN'S
SHARE OF SAID ESTIMATED MAXIMUM COST,
AUTHORIZING THE ISSUANCE OF \$210,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION, AND AUTHORIZING ANY AMOUNTS
RECEIVED FROM THE STATE OF NEW YORK TO BE
EXPENDED TOWARDS THE COST OF SAID OBJECT OR
PURPOSE OR REDEMPTION OF SAID BONDS ISSUED
THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE
TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND
INTEREST ON SAID BONDS.

Recitals

WHEREAS, a project for the improvement of the
intersections at Kensington Avenue, Cleveland Drive and Century
Road, in the Town of Cheektowaga, funded under the Federal Aid

Highway Program as provided for by the appropriate sections of Title 23 U.S. Code and the appropriate sections of the New York State Highway Law and Budget Bills applicable thereto, calls for State or local participation; and

WHEREAS, the Town of Cheektowaga desires to advance such project which is not, or portions of which are not, on the State highway system by authorizing the Town to participate in a share of the cost of preliminary engineering and/or right-of-way acquisition and construction and construction engineering of the project or portions of the project not on the State highway system; and

WHEREAS, pursuant to the resolution duly adopted by the Town Board of the Town of Cheektowaga on March 4, 1991, the Town agreed to provide 100% of the non-federal share of the cost of preliminary engineering and/or right-of-way incidental work, right-of-way incidental work acquisition, construction and construction engineering and 100% of any non-federal aid participating costs of the subject project; and

WHEREAS, the Town now desires to provide for the financing of said non-federal share of the cost of the project hereinabove described;

Now, therefore

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to provide 100% of the non-federal share of the cost of preliminary engineering and/or right-of-way incidental work, right-of-way acquisition, construction and construction engineering and 100% of any non federal aid participating costs of the construction of road improvements at the intersections of Kensington Avenue, Cleveland Drive and Century Road within the Town. The estimated maximum cost of said project is \$735,000 of which \$525,000 is to be paid by the United States of America under the Federal Aid Highway Program, and \$210,000 represents the Town's share of said project's estimated maximum cost. The estimated maximum cost of said specific object or purpose to the Town, including preliminary costs and costs incidental thereto and the financing thereof, is \$210,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$210,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is expected that any grants received from the State of New York shall be applied towards the cost of said specific object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$210,000, are hereby authorized to be issued pursuant

to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$210,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20. (c) of the Law, is fifteen (15) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any

notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication,
or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

* * *

The adoption of the foregoing resolution was seconded by
present Town Board Members
unanimously _____ and duly put to a vote on roll call, which
resulted as follows:

AYES:

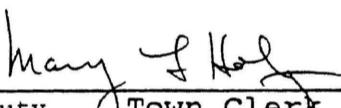
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

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..... December 5, 1991.....;
last publication..... December 5, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....

Sworn to before me this 5th.....

day of December....., 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

(over)

LEGAL NOTICE
BOND RESOLUTION OF THE
TOWN OF CHEEKTOWAGA, NEW
YORK, ADOPTED NOVEMBER 26,

1991, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS AT THE INTERSECTIONS OF KENSINGTON AVENUE, CLEVELAND DRIVE AND CENTURY ROAD WITHIN THE TOWN, STATING THE ESTIMATED MAXIMUM COST OF SAID PROJECT IS \$735,000, STATING THAT \$525,000 OF SAID COST IS TO BE PAID BY THE UNITED STATES OF AMERICA UNDER THE FEDERAL AID AND HIGHWAY PROGRAM, APPROPRIATING \$210,000 THEREFOR, REPRESENTING THE TOWN'S SHARE OF SAID ESTIMATED MAXIMUM COST, AUTHORIZING THE ISSUANCE OF \$210,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

NOTICE

The resolution published herewith has been adopted on the 26th day of November, 1991, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

MARY F. HOLTZ
DEPUTY TOWN CLERK

Recitals

WHEREAS, a project for the improvement of the intersections at Kensington Avenue, Cleveland Drive and Century Road, in the Town of Cheektowaga, funded under the Federal Aid Highway Program as provided for by the appropriate sections of

Title 23 U.S. Code and the appropriate sections of the New York State Highway Law and Budget Bills applicable thereto, calls for State or local participation; and

WHEREAS, the Town of Cheektowaga desires to advance such project which is not, or portions of which are not, on the State highway system by authorizing the Town to participate in a share of the cost of preliminary engineering and/or right-of-way acquisition and construction and construction engineering of the project or portions of the project not on the State highway system; and

WHEREAS, pursuant to the resolution duly adopted by the Town Board of the Town of Cheektowaga on March 4, 1991, the Town agreed to provide 100% of the non-federal share of the cost of preliminary engineering and/or right-of-way incidental work, right-of-way incidental work acquisition, construction and construction engineering and 100% of any non-federal aid participating costs of the subject project; and

WHEREAS, the Town now desires to provide for the financing of said non-federal share of the cost of the project hereinabove described;

Now, therefore

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to provide 100% of the non-federal share of the cost of preliminary engineering and/or right-of-way incidental work, right-of-way acquisition, construction and construction engineering and 100% of any non-federal aid participating costs of the construction of road improvements at the intersections of Kensington Avenue, Cleveland Drive and Century Road within the Town. The estimated maximum cost of said project is \$735,000 of which \$525,000 is to be paid by the United States of America under the Federal Aid Highway Program, and \$210,000 represents the Town's share of said project's estimated maximum cost. The estimated maximum cost of said specific object or purpose to the Town, including preliminary costs and

costs incidental thereto and the financing thereof, is \$210,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$210,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is expected that any grants received from the State of New York shall be applied towards the cost of said specific object or purpose or redemption of said bonds issued therefor or to be budgeted as an offset for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$210,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$210,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 20. (c) of the Law, is fifteen (15) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby

irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

PUBLISH: December 5, 1991

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2d Bond: Purchase of various vehicles for Highway Department

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present:

Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board
Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE PURCHASE OF VARIOUS VEHICLES,
MACHINERY AND APPARATUS FOR USE BY THE TOWN
HIGHWAY DEPARTMENT, STATING THE ESTIMATED
TOTAL COST THEREOF IS \$480,000, APPROPRIATING
SAID AMOUNT THEREFOR, AND AUTHORIZING THE
ISSUANCE OF \$480,000 SERIAL BONDS OF SAID TOWN
TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
purchase vehicles, machinery and apparatus for use by the Town
Highway Department including street sweeper, paving roller,
brush chipper, tandem axle dump trucks and one-ton dump trucks.
The estimated total cost of said objects or purposes, including
preliminary costs and costs incidental thereto and the financing
thereof, is \$480,000 and said amount is hereby appropriated
therefor. The plan of financing includes the

issuance of serial bonds of the Town in the aggregate principal amount of \$480,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town pursuant to the limitations prescribed by the Highway Law, constituting Chapter 25 of the Consolidated Laws of the State of New York, to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the aggregate principal amount of \$480,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said objects or purposes authorized pursuant to Section 1 of this resolution and for which \$480,000 of serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28. of the Law is fifteen (15) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds.

authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing

the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

present Town Board
Members unanimously offered the following resolution and
moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga,
shall within ten (10) days after the adoption of this resolution
cause to be published, in full, in the "CHEEKTOWAGA TIMES," a
newspaper published in Cheektowaga, New York, having a general
circulation within said Town and hereby designated the official
newspaper of the Town for such publication and posted on the sign
board of the Town maintained pursuant to the Town Law, a Notice
in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the purchase of various vehicles, machinery and apparatus for use by the Town Highway Department, stating the estimated total cost thereof is \$480,000, appropriating said amount therefor, and authorizing the issuance of \$480,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to purchase the following vehicles, machinery and apparatus for use by the Town Highway Department including street sweeper, paving roller, brush chipper, tandem axle dump trucks and one ton dump trucks and STATING the estimated total cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$480,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$480,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town pursuant to the limitations prescribed by the Highway Law to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$480,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of said objects or purposes authorized pursuant to the first paragraph hereof and for which \$480,000 of serial bonds are to be issued is fifteen (15) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and

the proposed maturity of said \$480,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

The adoption of the foregoing resolution was seconded by
present Town Board Members
unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the purchase of various vehicles, machinery and apparatus for use by the Town Highway Department, stating the estimated total cost thereof is \$480,000, appropriating said amount therefor, and authorizing the issuance of \$480,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to purchase the following ve-

hicles, machinery and apparatus for use by the Town Highway Department including street sweeper, paving roller, brush chipper, tandem axle dump trucks and one ton dump trucks and STATING the estimated total cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$480,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$480,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town pursuant to the limitations prescribed by the Highway Law to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$480,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of said objects or purposes authorized pursuant to the first paragraph hereof and for which \$480,000 of serial bonds are to be issued is fifteen (15) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$480,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ

DEPUTY TOWN CLERK

PUBLISH: December 5, 1991

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 for1..... weeks;
first publication December 5, 1991 ;
last publication December 5, 1991 ;
and that no more than six days intervened be-
tween publications.

.....Melanie Wolf.....
5th

Sworn to before me this

day ofDecember....., 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

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2e *Bond: Reconstruction of Heating, Ventilating and Air Conditioning at
Town Park Recreation Center*

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present:

Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board
Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE RECONSTRUCTION OF THE HEATING,
VENTILATING AND AIR-CONDITIONING SYSTEM OF THE
TOWN PARK RECREATION CENTER, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$96,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$96,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
reconstruct the heating, ventilating and air-conditioning system
of the Town Park Recreation Center located on Harlem Road in the
Town. The estimated maximum cost of said specific object or
purpose, including preliminary costs and costs incidental thereto
and the financing thereof, is \$96,000 and said amount is hereby
appropriated therefor. The plan of financing includes the
issuance of \$96,000 serial bonds of the Town to finance said
appropriation, and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said

bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$96,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The Town Park Recreation Center is of Class "A" construction as defined by Section 11.00 a. 11. (a) of the Law, and the period of probable usefulness of said specific object or purpose for which said \$96,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 13. of the Law, is ten (10) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general

obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Town Board Members present unanimously offered the following resolution and moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the CHEEKTOWAGA TIMES, " a newspaper published in Cheektowaga, New York, having a general

circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26 , 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the reconstruction of the heating, ventilating and air-conditioning system of the Town Park Recreation Center, stating the estimated maximum cost thereof is \$96,000, appropriating said amount therefor, and authorizing the issuance of \$96,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to reconstruct the heating, ventilating and air-conditioning system of the Town Park Recreation Center located on Harlem Road in the Town and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$96,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$96,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$96,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the Town Park Recreation Center is of Class "A" construction and the period of probable usefulness of the specific object or purpose for which said \$96,000 serial bonds are to be issued is ten (10) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$96,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general

obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by
present Town Board Members
unanimously _____ and duly put to a vote on roll call, which
resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the reconstruction of the heating, ventilating and air-conditioning system of the Town Park Recreation Center, stating the estimated maximum cost thereof is \$96,000, appropriating said amount therefor, and authorizing the issuance of \$96,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to reconstruct the heating, ventilating and air-conditioning system of the Town Park Recreation Center located on Harlem Road in the Town and to purchase the original furnishings, equipment, machinery and apparatus required in connection with the purpose for which said building is to be used; and STATING the estimated total cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$96,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$96,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$96,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the Town Park Recreation Center is of Class "A" construction and the period of probable usefulness of the specific object or purpose for which said \$96,000 serial bonds are to be issued is ten (10) years current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$96,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK
PUBLISH: December 5, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication December 5, 1991; last publication December 5, 1991; and that no more than six days intervened between publications.

Melanie Wolf
5th

Sworn to before me this day of December, 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

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2f Bond: Reconstruction of Police and Court Building

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present:

Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board

Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE PARTIAL RECONSTRUCTION OF THE
POLICE AND COURT BUILDING LOCATED ON UNION
ROAD WITHIN THE TOWN, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$146,400,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$146,400 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
partially reconstruct the Police and Court building located in
the Town Complex on Union Road within the Town, including
interior building reconstruction and partitioning of office space,
and improvements to the heating, air-conditioning and ventilating
system, and also including the original furnishings, equipment,
machinery and apparatus required for the purposes for which said
building, as so reconstructed, is to be used. The estimated
maximum cost of said specific object or purpose, including
preliminary costs and costs incidental thereto and the financing
thereof, is \$146,400 and said amount is hereby appropriated

therefor. The plan of financing includes the issuance of \$146,400 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$146,400, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The Police and Court Building is of Class "A" construction as defined by Section 11.00 a. 11.(a) of the Law, and the period of probable usefulness of said specific object or purpose for which said \$146,400 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 12. (a) (1) of the Law, is twenty (20) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation

of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Present Town Board members unanimously offered the following resolution and moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the partial reconstruction of the Police and Court Building located on Union Road within the Town, stating the estimated maximum cost thereof is \$146,400, appropriating said amount therefor, and authorizing the issuance of \$146,400 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the Police and Court building located in the Town Complex on Union Road within the Town, including interior building reconstruction and partitioning of office space, and improvements to the heating, air-conditioning and ventilating system and also including the original furnishings, equipment, machinery and apparatus required for the purposes for which said building, as so reconstructed, is to be used; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$146,400; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$146,400 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$146,400 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the Police and Court Building is of Class "A" construction and the period of probable usefulness of the specific object or purpose for which said \$146,400 serial bonds are to be issued is twenty (20) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$146,400 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the

renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by
present Town Board Members
unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

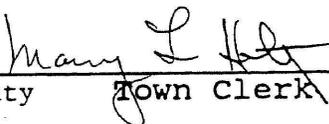
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the partial reconstruction of the Police and Court Building located on Union Road within the Town, stating the estimated maximum cost thereof is \$146,400, appropriating said amount therefor, and authorizing the issuance of \$146,400 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the Police and Court building located in the Town Complex on Union Road within the Town, including interior building reconstruction and partitioning of office space, and improvements to the heating, air-conditioning and ventilating system and also including the original furnishings, equipment, machinery and apparatus required for the purposes for which said building, as so reconstructed, is to be used; and **STATING** the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$146,400; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$146,400 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$146,400 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and **STATING** the Police and Court Building is of Class "A" construction and the period of probable usefulness of the specific object or purpose for which said \$146,400 serial bonds are to be issued is twenty (20) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$146,400 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991
MARY F. HOLTZ
 DEPUTY TOWN CLERK
PUBLISH: December 5, 1991

**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 *December 5, 1991* ;
 last publication *December 5, 1991* ;
 and that no more than six days intervened be-
 tween publications.

Melanie Wolf

 5th
 Sworn to before me this
 day of *December*, 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

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2g Bond: Reconstruction of South Branch Library Building

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present:

Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board

Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26 1991,
AUTHORIZING THE PARTIAL RECONSTRUCTION OF THE
SOUTH BRANCH LIBRARY BUILDING LOCATED ON
WILLIAM STREET WITHIN THE TOWN, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$84,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$84,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
partially reconstruct the South Branch Library Building located
on William Street within the Town, including reconstruction and
replacement of the roof, masonry work and other necessary
improvements, and also including the original furnishings,
equipment, machinery and apparatus required for the purposes for
which said building, as so reconstructed, is to be used. The
estimated maximum cost of said specific object or purpose,
including preliminary costs and costs incidental thereto and the
financing thereof, is \$84,000 and said amount is hereby
appropriated therefor. The plan of financing includes the

issuance of \$84,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$84,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The South Branch Library Building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness of said specific object or purpose for which said \$84,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 12. (a) (2) of the Law, is fifteen (15) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Present Town Board Members unanimously offered the following resolution and moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26 1991, authorizing the partial reconstruction of the South Branch Library Building located on William Street within the Town, stating the estimated maximum cost thereof is \$84,000, appropriating said amount therefor, and authorizing the issuance of \$84,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the South Branch Library Building located on William Street within the Town, including reconstruction and replacement of the roof, masonry work and other necessary improvements and also including the original furnishings, equipment, machinery and apparatus required for the purposes for which said building, as so reconstructed, is to be used; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$84,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$84,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$84,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the South Branch Library Building is of at least Class "B" construction and the period of probable usefulness of the specific object or purpose for which said \$84,000 serial bonds are to be issued is fifteen (15) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$84,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general

obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by
present Town Board Members
unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the partial reconstruction of the South Branch Library Building located on William Street within the Town, stating the estimated maximum cost thereof is \$84,000, appropriating said amount therefor, and authorizing the issuance of \$84,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the South Branch Library Building located on William Street within the Town, including reconstruction and replacement of the roof, masonry work and other necessary improvements and also including the original furnishings, equipment, machinery and apparatus required for the purposes for which said building, as so recon-

structed, is to be used; and STATING the estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$84,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$84,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$84,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the South Branch Library Building is of at least Class "B" construction and the period of probable usefulness of the specific object or purpose for which said \$84,000 serial bonds are to be issued is fifteen (15) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$84,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK
PUBLISH: December 5, 1991

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 *December 5, 1991*..... ;
last publication *December 5, 1991*..... ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf.....
5th

Sworn to before me this

day of *December*....., 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

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2h Bond: Drainage and Flood Control

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present: Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board
Members unanimously offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE DREDGING AND CLEANING OUT OF
VARIOUS TOWN DETENTION BASINS, SLATE BOTTOM
CREEK AND ITS TRIBUTARIES, AND SCAJAQUADA
CREEK AND ITS TRIBUTARIES, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$216,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$216,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
dredge, clean out and conduct other minor repairs as are
necessary for the preservation and restoration to their original
condition of various Town detention basins, Slate Bottom Creek
and its tributaries, and Scajaquada Creek and its tributaries.
The estimated maximum cost of said specific objects or purposes,
including preliminary costs and costs incidental thereto and the
financing thereof, is \$216,000 and said amount is hereby
appropriated therefor. The plan of financing includes the
issuance of \$216,000 serial bonds of the Town to finance said

appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$216,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific objects or purposes for which said \$216,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 3. of the Law, is ten (10) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any

notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Present Town Board Members unanimously offered the following resolution and moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution

cause to be published, in full, in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the dredging and cleaning out of various Town detention basins, Slate Bottom Creek and its tributaries, and Scajaquada Creek and its tributaries, stating the estimated maximum cost thereof is \$216,000, appropriating said amount therefor, and authorizing the issuance of \$216,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to dredge, clean out and conduct other minor repairs as are necessary for the preservation and restoration to their original condition of various Town detention basins, Slate Bottom Creek and its tributaries, and Scajaquada Creek and its tributaries; and STATING the estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$216,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$216,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$216,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific objects or purposes for which said \$216,000 serial bonds are to be issued is ten (10) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$216,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

*

*

*

The adoption of the foregoing resolution was seconded by
present Town Board Members
unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

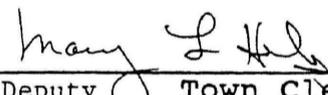
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the dredging and cleaning out of various Town detention basins, Slate Bottom Creek and its tributaries, and Scajaquada Creek and its tributaries, stating the estimated maximum cost thereof is \$216,000, appropriating said amount therefor, and authorizing the issuance of \$216,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to dredge, clean out and conduct other minor repairs as are necessary for the preservation and restoration to their original condition of various Town detention basins, Slate Bottom Creek and its tributaries, and Scajaquada Creek and its tributaries; and **STATING** the estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$216,000; **APPROPRIATING** said amount therefor; **STATING** the plan of financing includes the issuance of \$216,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$216,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and **STATING** the period of probable usefulness of the specific objects or purposes for which \$216,000 of serial bonds are to be issued is ten (10) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$216,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and **PLEDGING** to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991
 MARY F. HOLTZ
 DEPUTY TOWN CLERK
 PUBLISH: December 5, 1991

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 *December 5, 1991* ;
 last publication *December 5, 1991* ;
 and that no more than six days intervened be-
 tween publications.

Melanie Wolf
 5th

Sworn to before me this
 day of *December*, 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

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

Melissa Gugliuzza, 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... February 11, 1993;
last publication... February 14, 1993;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
JG

Sworn to before me this

day of February, 1993.....

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

The resolution published herewith has been adopted on the 26th of November, 1991, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as to the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this Notice or such obligations were authorized in violation of the provisions of the constitution.

RICHARD MOLESKI,
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED NOVEMBER 26, 1991, AUTHORIZING THE CONSTRUCTION OF A FOOTBRIDGE OVER SCAJAQUADA CREEK, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$172,000 APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$172,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct a footbridge over Scajaquada Creek, in the Town, of stone, concrete, or steel or of a combination of two or more of these materials. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$172,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$172,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$172,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$172,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. of the Law, is twenty (20) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the

bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer in the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

PUBLISH: FEBRUARY 4 1992

176
69.13

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

Melissa Gugliuzza, 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 February 4, 1993;
last publication February 4, 1993;
and that no more than six days intervened be-
tween publications.

Melissa Gugliuzza
44

Sworn to before me this

day of February, 1993...

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 12/11/9 3

**LEGAL NOTICE
NOTICE**

The resolution published herewith has been adopted on the 26th of November, 1991, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as to the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this Notice or such obligations were authorized in violation of the provisions of the constitution.

RICHARD MOLESKI,
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED NOVEMBER 26, 1991, AUTHORIZING THE CONSTRUCTION OF A FOOTBRIDGE OVER SCAJAQUADA CREEK, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$172,000 APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$172,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) **AS FOLLOWS:**

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to construct a footbridge over Scajaquada Creek, in the Town, of stone, concrete, or steel or of a combination of two or more of these materials. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$172,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$172,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town of the principal amount of \$172,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33 of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a) The period of probable usefulness of said specific object or purpose for which said \$172,000 serial bonds are authorized pursuant to this resolution to be issued, within the limitations of Section 11.00 a. 10. of the Law, is twenty (20) years.

b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the

bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer in the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES: 5
NOES: 0

The resolution was declared adopted.

PUBLISH: FEBRUARY 4, 1993

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2i Bond: Acquisition of Land (Wedgewood Drive)

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present: Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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Present Town Board
Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE ACQUISITION OF THE PIECE OR
PARCEL OF LAND NECESSARY TO PROVIDE ROAD
IMPROVEMENTS EXTENDING WEDGWOOD DRIVE TO
LOSSON ROAD, WITHIN THE TOWN, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$72,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$72,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
acquire the piece or parcel of land necessary to provide road
improvements extending Wedgwood Drive to Losson Road, within the
Town. The estimated maximum cost of said specific object or
purpose, including preliminary costs and costs incidental thereto
and the financing thereof, is \$72,000 and said amount is hereby
appropriated therefor. The plan of financing includes the
issuance of \$72,000 serial bonds of the Town to finance said
appropriation, and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said

bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$72,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$72,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 21.(a) of the Law, is thirty (30) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and

interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Present Town Board
Members unanimously offered the following resolution and moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general

circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the acquisition of the piece or parcel of land necessary to provide road improvements extending Wedgwood Drive to Losson Road, within the Town, stating the estimated maximum cost thereof is \$72,000, appropriating said amount therefor, and authorizing the issuance of \$72,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to acquire the piece or parcel of land necessary to provide road improvements extending Wedgwood Drive to Losson Road, within the Town; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$72,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$72,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$72,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$72,000 serial bonds are to be issued is thirty (30) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$72,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

*

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*

The adoption of the foregoing resolution was seconded by
present Town Board
Members unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

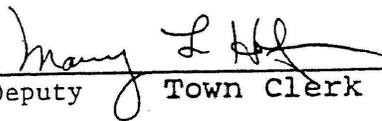
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.


Deputy Town Clerk

(SEAL)

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the acquisition of the piece or parcel of land necessary to provide road improvements extending Wedgwood Drive to Losson Road, within the Town, stating the estimated maximum cost thereof is \$72,000, appropriating said amount therefor, and authorizing the issuance of \$72,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to acquire the piece or parcel of land necessary to provide road improvements extending Wedgwood Drive to Losson Road, within the Town; and STATING the estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$72,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$72,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon.

SECOND: AUTHORIZING the issuance of \$72,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or pur-

pose for which \$72,000 of serial bonds are to be issued is thirty (30) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$72,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

PUBLISH: December 5, 1991

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 December 5, 1991 ;
last publication December 5, 1991 ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf

Sworn to before me this 5th

day of December, 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

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2j Bond: Construction of Foot Bridge over Scajaquada Creek

* See next page (s) for resolution

AFFIDAVIT - NEXT PAGE

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York
November 26, 1991

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A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present: Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

*

*

*

Present Town Board
Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE CONSTRUCTION OF A FOOTBRIDGE
OVER SCAJAQUADA CREEK, IN THE TOWN, STATING
THE ESTIMATED MAXIMUM COST THEREOF IS \$172,000
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$172,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
construct a footbridge over Scajaquada Creek, in the Town, of
stone, concrete, or steel or of a combination of two or more of
these materials. The estimated maximum cost of said specific
object or purpose, including preliminary costs and costs
incidental thereto and the financing thereof, is \$172,000 and said
amount is hereby appropriated therefor. The plan of financing
includes the issuance of \$172,000 serial bonds of the Town to
finance said appropriation, and the levy and collection of taxes
on all the taxable real property in the Town to pay the principal
of said bonds and the interest thereon as the same shall become
due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$172,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$172,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. of the Law, is twenty (20) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 9. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and

credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The adoption of the foregoing resolution was seconded by present Town Board Members unanimously and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

Present Town Board Members unanimously offered the following resolution and moved its adoption:

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Cheektowaga, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign

board of the Town maintained pursuant to the Town Law, a Notice
in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the construction of a footbridge over Scajaquada Creek, in the Town, stating the estimated maximum cost thereof is \$172,000 appropriating said amount therefor, and authorizing the issuance of \$172,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct a footbridge over Scajaquada Creek, in the Town, of stone, concrete, or steel or of a combination of two or more of these materials; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$172,000 APPROPRIATING said amount therefor; STATING the plan of financing includes the the issuance of \$172,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$172,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$172,000 said bonds are to be issued is twenty (20) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$172,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by
present Town Board
Members unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

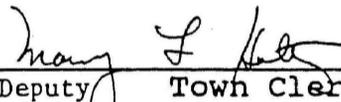
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA,
NEW YORK**

PLEASE TAKE NOTICE that on November 26, 1991, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted November 26, 1991, authorizing the construction of a footbridge over Scajaquada Creek, in the Town, stating the estimated maximum cost thereof is \$172,000 appropriating said amount therefor, and authorizing the issuance of \$172,000 serial bonds of said Town to finance said appropriation."

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct a footbridge over Scajaquada Creek, in the Town, of stone, concrete, or steel or of a combination of two or more of these materials; and STATING the estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$172,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$172,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$172,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$172,000 said bonds are to be issued is twenty (20) years; current funds are not required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof; and the proposed maturity of said \$172,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 26, 1991

MARY F. HOLTZ
DEPUTY TOWN CLERK

PUBLISH: December 5, 1991

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 December 5, 1991 ;
last publication December 5, 1991 ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
5th

Sworn to before me this

day of December, 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

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 2k Bond: Preparation of Plans for Highway Improvement/Traffic Studies
and Construction of New Library

* See next page (s) for resolution

** See Meeting No. 28 for amended resolution and affidavit for above.

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

November 26, 1991

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*

A special meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on November 26, 1991 at 6:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz

There were absent:

Dennis H. Gabryszak

Also present: Mary F. Holtz, Deputy Town Clerk
James Kirisits, Town Attorney

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*

Present Town Board

Members unanimously

offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED NOVEMBER 26, 1991,
AUTHORIZING THE PREPARATION OF PRELIMINARY
PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY
FOR PLANNING FOR FUTURE CAPITAL IMPROVEMENTS,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$80,000, APPROPRIATING SAID AMOUNT THEREFOR,
AND AUTHORIZING THE ISSUANCE OF \$80,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
prepare, pursuant to Section 99-d of the General Municipal Law,
surveys, preliminary plans and detailed plans, specifications and
estimates necessary for planning for the construction of a new
library and the improvement of various highway intersections
within the Town, two capital improvement projects which may be
undertaken in the future. The estimated maximum cost of said
specific object or purpose, including preliminary costs and costs
incidental thereto and the financing thereof, is \$80,000 and said
amount is hereby appropriated therefor. The plan of financing
includes the issuance of serial bonds of the Town in the

aggregate principal amount of \$80,000 and to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the aggregate principal amount of \$80,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose authorized pursuant to this resolution and for which said \$210,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 62(a) of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity

as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

* * *

The adoption of the foregoing resolution was seconded by
present Town Board
Members unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

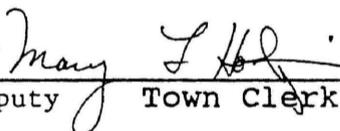
NOES:

The resolution was declared adopted.

CERTIFICATE

I, MARY F. HOLTZ, Deputy, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on November 26 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 26th. day of November, 1991.



Deputy Town Clerk

(SEAL)

SPECIAL MEETING NO. 27
November 26, 1991

Item No. 3 Motion by Unanimous Seconded by Unanimous

WHEREAS, on or about November 16, 1989 a notice of claim was served upon the Town of Cheektowaga on account of certain personal injuries sustained and the wrongful death of Evelyn R. Taylor due to alleged negligent acts or omissions, and

WHEREAS, on or about May 9, 1990, a summons and complaint on the aforementioned said claim was served on the Town, and

WHEREAS, the aforesaid lawsuit has been vigorously defended by Grosse, Rossetti, Chelus & Herdzik, as attorneys for the Town under its self-insured liability claims program, and

WHEREAS, after jury selection and three days of trial on such lawsuit before the Hon. George F. Francis, Justice of the Supreme Court, both the said attorneys for the Town and Justice Francis have recommended the payment by the Town of the sum of \$90,000.00 as a fair and reasonable settlement of the matter in view of all of the disputed facts and circumstances surrounding same,

NOW, THEREFORE, BE IT that the sum of \$90,000.00 be paid by the Town from its self-insured claims fund in full and final settlement of the aforesaid lawsuit, subject to the approval of the Hon. George F. Francis, J.S.C., and BE IT FURTHER

RESOLVED, that the aforesaid sum of \$90,000.00 be paid in two installments, that is, the first installment of \$50,000.00 be paid on or about January 1, 1992, and the second installment of \$40,000.00 be paid on or about January 1, 1993, and BE IT FURTHER

RESOLVED, that the law firm of Grosse, Rossetti, Chelus & Herdzik, P.C., be and they hereby are authorized to execute and prepare all papers necessary to effectuate the aforesaid settlement and compromise.

Upon Roll Call....

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

Item No. 4 Motion by Councilman Rogowski Seconded by Councilman Blachowski

WHEREAS, by resolution dated November 18, 1991 this Town Board directed that a Notice to Bidders for the Contracting of Snow Removal if a Snow Emergency should occur be published, and

WHEREAS, such resolution erroneously stated that such bids would be opened on Friday, November 29, 1991 at 11:00 A.M., and

WHEREAS, such resolution should have stated that bids would be opened on Monday, December 2, 1991 at 11:00 A.M., NOW, THEREFORE, BE IT

RESOLVED, that the last "RESOLVED" paragraph of the aforementioned November 18, 1991 resolution be and hereby is amended to state that the Town Clerk be directed to open bids for the contracting of snow removal at 11:00 A.M. on December 2, 1991 in the Council Chambers of the Cheektowaga Town Hall, and BE IT FURTHER

RESOLVED, that the Superintendent of Highways be and hereby is directed to amend the bid documents accordingly and notify all interested bidders of the changed bid opening date.

Upon Roll Call....

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

II. PUBLIC HEARING

Item No. 5 This being the time and place advertised for a public hearing to consider the advisability of adopting a new Master Plan, Zoning Maps and a Local Law Relating to Zoning 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. A brief description of Local Law Intro No. 91-5 is as follows:

Town of Cheektowaga

A Local Law for Zoning for the Town of Cheektowaga

A local law establishing revised rules and regulations for the control, by means of zoning, of residential, commercial, manufacturing and other uses within the Town of Cheektowaga.

Many of the rules and regulations which are part of the present Town Zoning Ordinance and Zoning Maps will remain the same. Changes to the existing zoning rules and regulations include, but are not limited to the following:

- Creation of a RS - Single Residential District
- Creation of a RC - Residential Cluster District
- Creation of a RMH - Residential Mobile Home District
- Creation of a NS - Neighborhood Services District
- Creation of a MS - Motor Service District
- Creation of a CF - Community Facilities District
- Updating of off-street parking regulations and specifications
- Junk motor vehicle regulations have been improved
- Sign regulations have been clarified
- A tree preservation section has been added
- Elimination of much of the pyramiding (allowing more restrictive uses in a less restrictive use district)
- Provision made for more open space and development control
- Control of temporary outdoor sales/displays
- Protection of residential properties from business and manufacturing uses

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. 6 Motion by Supervisor Swiatek and seconded by Councilman Rogowski to adjourn the meeting.

MARY F. HOLTZ,
Deputy Town Clerk

PUBLIC HEARINGS
(held prior to Town Board meetings)

NO.

ITEM

Meeting No. 28 December 2, 1991

1 Community Development Block Grant

NO. 28

NO. 29

NO. 30

R E S O L U T I O N S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 28 December 2, 1991</u>		
2	Decision of Amendments to Vehicle and Traffic Ordinances - Art. VIII, "Stop and Yield Intersections" - Wedgewood Drive and Art. X, "Parking, Standing and Stopping" - Barbados Drive	1-2
3	Award of Bid: Labor and Equipment for Snow Removal in Emergency	3
4	NOTICE TO BIDDERS:	
	a. Purchase of One (1) New and Unused 1992 Model Light Duty Dump Truck with Snow Plow	3
	b. Baseball and Football Equipment for the Department of Youth and Recreational Services	4
5	Approve Final Payment for Boiler System Renovation at the Senior Citizens Center	5
6	Release of Escrow Funds to Losson Meadows Subdivision, Phase II	5
7	Cleanup of Property at 3325 Genesee Street	5-6
8	Authorize Supervisor to Execute Documents Regarding Grant	6
9	Creation of Various Positions in the Youth and Recreational Services Dept.	6
10	REAPPOINTMENT OF:	
	a. Members to the Traffic Safety Commission	6-7
	b. Members to the Veterans Affairs Committee	7
11	APPOINTMENT TO FILL VACANCIES:	
	a. General Crew Chief in Central Garage (Permanent)	7-8
	b. Administrative Assistant in the Dept. of Youth and Recreation	8
	c. Automotive Mechanic in Central Garage	8
12	Hiring of Seasonal Employees in Various Departments	8-9
13	Transfer of Funds	9-10
14	Warrant List	11

Meeting No. 29 December 16, 1991

2	Establish date for First Town Board Meeting January 6, 1992	1
3.	Call for Public Hearing: Proposal for Town to enter into a concession agreement with L. T. Vending, Inc.	1-2
4	Negative Declaration concerning Adoption of New Master Plan	3
5	Adoption of Local Law No. 5 of 1991 "A Local Law Relating to Zoning"	3
6	AWARD OF BID:	
	a. Labor and materials for removal of snow during a snow emergency	3
	b. Purchase of vehicles for Sanitary Sewer Maintenance Department	4
	c. Removal of existing carpeting & flooring and installation of new carpeting and flooring at Senior Citizen Center	5
7	CLEAN-UP OF PROPERTY AT:	
	a. 165 Evergreen Place	6
	b. 3117-3119 Genesee Street	6

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 29 December 16, 1991 cont'd.</u>		
8	AUTHORIZE SUPERVISOR TO SIGN/EXECUTE AGREEMENTS:	
	a. Lighting Agreement with National Fuel	6
	b. Public Utility Work HC 140 Agreement with NYSDOT	7
	c. Agreement with Independent Evaluator, Fundraising and Media Public Relations Consultant	7
	d. Agreement with Planning Consultant for Community Development Block 7-8 Program	
	e. Subordination Agreement	8-9
	f. Cheektowaga Historical Association agreement	9
9	Change Order No. 1A regarding Remodeling of Delavan Avenue Pump Station	10
10	Approval of Public Improvement Permit for construction of an extension of Rushford Lane	10
11	Change in rate of fees for containers, etc. (Per container or Service)	11
12	Transportation Systems Management Study	12
13	APPOINTMENTS TO FILL VACANCIES:	
	a. Automotive Mechanic Crew Chief in Central Garage	12
	b. Senior Maintenance Worker in Sewer Maintenance Department	13
	c. Clerk-Typist in Police Department	13
	d. Three Motor Equipment Operator "B" positions in Sanitation Dept.	13-14
	e. Four Laborers in Sanitation Department	14
14	Extension of Sick Leave for employee in Sanitation Department	14-15
15	Leave of Absence for employee in Recycling Department	15
16	Transfer of individual to Administrative Intern Program	15
17	AUTHORIZATION TO ATTEND CONFERENCE/WORKSHOP/FORUM:	
	a. Town Disaster Coordinator	15
	b. Principal Investigator, Program Evaluator and Project Director in Youth & Recreational Services Dept.	16
18	Transfer of Funds	16-18
19	Warrant List	18

DEPARTMENTAL COMMUNICATIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 28 December 2, 1991</u>	
15	Building Permits	10
16	SUPERVISOR'S STATEMENT OF FUNDS:	
	a. September 1991	11
	b. October 1991	11
	<u>Meeting No. 29 December 16, 1991</u>	
20	MINUTES OF:	
	a. Cheektowaga Planning Board/November 14, 1991	19
	b. Cheektowaga Library Board/November 28, 1991	19
	c. Cheektowaga Traffic Safety Commission/November 19, 1991	19

NO. 28

NO. 29

NO. 30

GENERAL COMMUNICATIONS

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 28 December 2, 1991</u>	
17	Notice of Claim: Allstate Insurance Co. (Phyllis Boltz) vs Town of Cheektowaga	11
18	Notice of Petition: Consolidated Rail Corporation vs the State Board of Equalization and Assessment and the Town of Cheektowaga	11
	<u>Meeting No. 29 December 16, 1991</u>	
21	Notice of Claim: Joyce & Brian Hamann vs Town of Cheektowaga	19
22	Petition regarding 3117-3119 Genesee Street	19

S U S P E N S I O N O F R U L E S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 28 December 2, 1991</u>		
19	Rescind Resolution of November 26, 1991 regarding Bond Resolution for the preparation of plans for Highway Improvement/Traffic Studies and Construction of New Library	11
20	Bond Resolution: Preparation of Plans for Highway Improvement/Traffic Studies and Construction of New Library	11
21	Decision on Special Use Permit for 1249 Walden Avenue	
<u>Meeting No. 29 December 16, 1991</u>		
23	Award of Bid: One (1) New & Unused 1991 Model Light Duty Dump Truck with snowplow	19
24	Affirm recommendation of SEQR regarding 2335 Union Road	20
<u>Meeting No. 30 December 30, 1991</u>		
12	Appointment of Crew Chiefs in Sanitation Recycling Dept.	9
13	Amendments to A Local Law for Zoning & Zoning Map (proposed)	9-10

A D J O U R N E D M E E T I N G S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Adjourned Meeting No. 30 December 30, 1991</u>		
2	Adoption of Local Law No. 5 of 1991 "A Local Law Relating to Zoning"	1
3	Create additional water consumption charge for Sanitary Sewer District real property taxes for Senior Citizen multiple dwelling units	1
4	AUTHORIZE SUPERVISOR TO EXECUTE AGREEMENT/APPLICATIONS WITH:	
	a. Child and Family Services	1-2
	b. Catholic Charities Metropolitan Services Dept.	2
	c. N.Y.S. Division for Youth	2-3
	d. Youth Department - Diocese of Buffalo	3
	e. Planning Consultant	3
5	Termination of employees in various departments	3-4
6	Hiring of part-time employees in various departments	4
7	Return employee to position of "MEOB" in Highway Department	4
8	Transfer Supportive Services Program employee to Youth and Recreational Services Department	4
9	APPOINTMENTS TO FILL VACANCIES:	
	a. Light Motor Equipment Operator in Sanitation/Recycling Department	4-5
	b. Working Crew Chief in Sewer Maintenance Department	5
	c. Three (3) Laborers in Sanitation Department	5-6
	d. Three (3) Laborer's Aides in Sanitation/Recycling Department	6
10	Transfer of Funds	6-8
11	Warrant List	9

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of December 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 Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; Councilman Elect, Thomas Johnson; James Kirisits, Town Attorney; Ronald Marten, Building Inspector; Jerome Gabryszak, Director of Community Development; Robert Kaczmarek, Chief Accountant; Leonard Szymanski, Facilities Foreman and Stewart Alexander, Planning Consultant.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Rogowski, Seconded by Councilman Solecki

WHEREAS, this Town Board held a public hearing on November 18, 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:

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>
Wedgewood Drive	North-South	Baywood Drive	Westbound	N.E. 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 adding thereto the following:

Item No. 2 continued

B. No parking anytime

BARBADOS DRIVE	south side of the southerly east-west leg	from 75 feet westerly of the curbline of Barbados Drive north- south leg, thence easterly around the curb and southerly 75 feet \pm to the south property line of 263 Barbados
----------------	-------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Section 2. Time to take effect.

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

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

Section 3. Territorial Application.

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

Section 4. Publication.

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

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

**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 2nd day of December 1991 at 7:30 o'clock p.m. Eastern standard Time there were:

PRESENT:

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

Motion by Councilman Rogowski and Seconded by Councilman Solecki

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Upon roll call.....

- Supervisor Swiatek Voting AYE
- Councilman Blachowski Voting AYE
- Councilman Jaworowicz Voting AYE
- Councilman Gabryszak Voting AYE
- Councilman Rogowski Voting AYE
- Councilman Solecki Voting AYE

AYES: 6

NAYES: 0

ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on December 2, 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 2, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 2nd day of December, 1991.

RICHARD M. MOLESKI
Town Clerk

PUBLISH: December 5, 1991

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 Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for1..... weeks: first publication December 5, 1991; last publication December 5, 1991; and that no more than six days intervened between publications.

.....Melanie Wolf.....
572
Sworn to before me this
day ofDecember....., 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

Item No. 3 Award of Bid: Labor and Equipment for Snow Removal in Emergency
This resolution was withdrawn.

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of ONE (1) NEW AND UNUSED 1992 MODEL LIGHT DUTY DUMP TRUCK WITH SNOW PLOW, for use the Cheektowaga Highway Department.

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

RESOLVED, That the Town Clerk is hereby designated as the officer to open bids on the aforementioned item at 11:00 A.M. on December 13, 1991 in the Council Chambers of the Cheektowaga Town Hall.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal finance Law, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of ONE (1) NEW AND UNUSED 1992 MODEL LIGHT DUTY DUMP TRUCK WITH SNOW PLOW, for use by the Cheektowaga Highway Department, at a public bid opening December 13, 1991 at 11:00 A.M. to be held in the Council Chambers at the Cheektowaga Town Hall.

Information for bidders and specifications may be obtained from the office of Christopher J. Kowal, Superintendent of Highways, at his office located at 3145 Union Road, Cheektowaga, New York. Proposals must be enclosed and sealed in an opaque envelope plainly marked "BID FOR ONE NEW AND UNUSED 1992 MODEL LIGHT DUTY DUMP TRUCK WITH SNOW PLOW."

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

RICHARD M. MOLESKI, TOWN CLERK

Dated:

Published:

Upon Roll Call....

AYES: Supervisor Swiatek, Councilmen Jaworowicz, Gabryszak, 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.....December 5, 1991.....;
last publication.....December 5, 1991.....;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
5th

Sworn to before me this

day of December, 1991.

Margaret J. Bourdette

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

**LEGAL NOTICE
TOWN OF CHEEKTOWAGA
HIGHWAY DEPARTMENT
LEGAL NOTICE
TO BIDDERS**
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Non-collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.
RICHARD MOLESKI
TOWN CLERK
PUBLISH: December 5, 1991

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

Item No. 4b Motion by Supervisor Swiatek, Seconded by Councilman Rogowski

BE IT RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of 1992 baseball and football equipment 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 December 30, 1991 at 11:00 A.M. Eastern Standard 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 December 30, 1991 at 11:00 A.M. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for 1992 baseball and football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga 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 delay.

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. For any item which is bid as equal, bidder must submit documentation to prove equality of the item. Said documentation must be submitted along with the bid.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications any may waive any informalities, make an award to other than the lower 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 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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

**LEGAL NOTICE
NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 30, 1991 at 11:00 a.m. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for 1992 baseball and football equipment.

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

The bidder agrees to make every attempt to deliver all contracted items in SIXTY (60) DAYS OR LESS from the date of order and to notify the Town of Cheektowaga 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 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. For any item which is bid as equal, bidder must submit documentation to prove the equality of the item. Said documentation must be submitted along with the bid.

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 lower 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 delete certain items if it deems necessary.

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

Richard M. Moleski
Town Clerk

PUBLISH: December 5, 1991

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 *December 5, 1991*;
last publication *December 5, 1991* ;
and that no more than six days intervened be-
tween publications.

Melanie Wolf
5th

Sworn to before me this
day of *December*, 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

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

WHEREAS, BH Refrigeration, Inc. has submitted Application #5 for Final Payment for Boiler Systems Renovation at the Senior Citizens Center, AND

WHEREAS, BH Refrigeration, Inc. has submitted Contractor's Affidavit of Compliance with New York State Labor Law Section 220-A, Affidavit stating that no asbestos containing materials were encountered on the project, Affidavit of Payment of Debts and Claims, Affidavit of Release of Liens, Certificate of Substantial Completion, AND

WHEREAS, Babinsky-Klein Engineering, P.C. has reviewed BH Refrigeration, Inc. submittals as being in compliance with the terms of the project's specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Final Payment in the amount of \$1,712.10 for Boiler System Renovation at the Senior Citizens Center to BH Refrigeration, Inc., Westside Station, P.O. Box 140, Buffalo, New York 14213-0140, AND BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvements Account #58-7620-1104.

Upon Roll Call....

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

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

WHEREAS, the developers of Losson Meadows Subdivision, Phase II, deposited funds in the amount of \$2,500 in an escrow account with the Town to guarantee the cleaning of storm sewers within said subdivision, and

WHEREAS, the Town Superintendent of Highways has stated that the necessary storm sewer cleaning work in this subdivision has been satisfactorily completed and has recommended that escrow moneys held by the Town for same be returned to the developers, NOW, THEREFORE, BE IT

RESOLVED, that escrow funds in the amount of \$2,500 be released to Piotrowski Builders from Account No 0600-0830.

Upon Roll Call....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on property located at 3325 Genesee Street, Cheektowaga, New York, SBL #91.19-3-3 and according to the Assessor's Office is owned by 3325 Genesee Incorporated (Kelly), 3325 Genesee Street, Cheektowaga, New York, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by 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 debris be removed by the Town and all costs incurred by assessed against the property hereinbefore described.

Item No. 7 continued

Upon Roll Call....

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

Item No. 8 Motion by Supervisor Swiatek, Seconded by Councilman Rogowski

WHEREAS, the New York State Department of Labor Occupational Safety and Health Training and Education Program offers a grant program to provide 100% of the monies necessary for local governments to train and educate employees; and

WHEREAS, the Town is self-insured and the availability of employee safety training programs may reduce future claims; and

WHEREAS, the Town of Cheektowaga is in need of financial assistance to enhance safety training for programs for employees; 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 the New York State Department of Labor Occupational Safety and Health Training and Education Program in an amount not to exceed \$30,000 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.

Upon Roll Call....

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

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

WHEREAS, the Department of Youth and Recreational Services has received funding through the U.S. Department of Health and Human Services (grant number 1H86SP04160-01A1) to establish the Community Partnership Substance Abuse Program, AND

WHEREAS, the grant provides funds for staff positions, pending jurisdictional classification of the Erie County Department of Personnel, NOW, THEREFORE, BE IT

RESOLVED, that the following positions are hereby created in the Youth and Recreational Services Department:

Project Director (Youth Board)
Assistant Project Director (Youth Board)
Program Coordinator (Youth Board) - 2 Positions

Upon Roll Call....

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

Item No. 10a Motion by Councilman Rogowski, Seconded by Councilman Blachowski

WHEREAS, the terms of five members of the Cheektowaga Traffic Safety Commission are scheduled to expire on December 31, 1991, and

Item No. 10a continued

WHEREAS, such members have requested to be reappointed to a new three (3) year term on such commission, and

WHEREAS, the members of such commission serve without pay on a voluntary basis, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are reappointed to the Cheektowaga Traffic Safety Commission for a term ending on December 31, 1994:

Michael McGuire
David Metz
Carl Perlino
James Makowski
Richard Zynda

Upon Roll Call....

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

Item No. 10b Motion by Councilman Rogowski, Seconded by Councilman Solecki

BE IT RESOLVED, that the following individuals be and hereby are reappointed to serve on the Veterans Affairs Committee:

Kenneth Blum	Joseph Lipowski
Cheektowaga, New York 14227	Depew, New York 14043
Alexander Burke	Sylvia Lipowski
Cheektowaga, New York 14206	Depew, New York 14043
Victor Carlucci	Earle Rosenthal
Depew, New York 14043	Cheektowaga, New York 14225
Wesley Fuqua	Elaine Rosenthal
Cheektowaga, New York 14225	Cheektowaga, New York 14225
John Geck	George Ross
Cheektowaga, New York 14225	Cheektowaga, New York 14225
Dorothy Kubik	Eugene Kelly
Cheektowaga, New York 14227	Cheektowaga, New York 14227

AND, BE IT FURTHER RESOLVED, that the term of such members of the Veterans Affairs Committee shall be for one year beginning on January 1, 1992 and expiring on December 31, 1992.

Upon Roll Call....

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

Item No. 11a Motion by Councilman Rogowski, Seconded by Councilman Solecki

WHEREAS, by resolution, this Town Board appointed Arthur Ferdinand to the position of General Crew Chief in the Central Garage, on a temporary basis, pending the necessary posting and bidding procedure of the permanent vacancy for this position, AND

Item No. 11a continued

WHEREAS, said posting and bidding procedure has been completed, AND

WHEREAS, Arthur Ferdinand bid on said position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Arthur Ferdinand be and hereby is appointed to the permanent vacancy of General Crew Chief in the Central Garage, effective immediately, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit.

Upon Roll Call....

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

Item No. 11b Motion by Supervisor Swiatek, Seconded by Councilman Blachowski

WHEREAS, by resolution, this Town Board created the position of Administrative Assistant in the Youth and Recreational Services Department, AND

WHEREAS, the position will be underwritten by the Alcohol, Drug Abuse and Mental Health Administration of the U.S. Department of Health and Human Services' Public Health Service under grant number 1 H86 SP04160-01A1, AND

WHEREAS, this Town Board is interested in filling this position, AND

WHEREAS, there currently exists no valid Civil Service list for the title of Administrative Assistant, AND

WHEREAS, Amy Meyers, currently employed as a part-time clerical employee in the Youth & Recreational Services Department, is interested in this position and is familiar with the duties and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Amy Meyers of 87 Standard Parkway, Cheektowaga, New York 14227, be and hereby is appointed to the position of Administrative Assistant in the Youth and Recreational Services Department, on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, AND, BE IT FURTHER

RESOLVED, that said appointment is made effective immediately and at an annual salary of \$17,900.

Upon Roll Call....

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

Item No. 11c Appointment of Automotive Mechanic - Central Garage
This resolution was withdrawn.

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

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:

NO. 29

NO. 30

Item No. 12 continued

EFFECTIVE

SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

John Strong	(retro-active)	11/19/91
Thomas Jakubowicz	"	"
Salvatore LaGambina	"	"
Christopher Rosmus	"	"

YOUTH & RECREATIONAL SERVICES - Recreation Attendant (Rink Guard) @ \$4.25 per hour

Lawrence Godzich Immediately

Upon Roll Call....

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

MOTION BY COUNCILMAN GABRYSZAK, SECONDED BY SUPERVISOR SWIATEK TO DISPENSE WITH READING OF THE FIGURES IN ITEM NO. 13 AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

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

Item No. 13 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:	0100-9010-8151	Group Life Insurance	\$ 4,000.00
	0100-9010-8171	Dental Insurance	2,000.00
	0100-1410-4001	Office Supplies	100.00
	0100-1220-1391	Part-time Clerical	1,000.00
	0100-1220-4011	Printed Forms	2,625.00
	0100-1640-4161	Gasoline	20,000.00
	0100-3120-1541	Police Patrolman	75,000.00
TO:	0100-9010-8141	Medical Insurance	6,000.00
	0100-1410-1391	Part-time Clerical	100.00
	0100-1220-1305	Secretary to Supervisor	1,000.00
	0100-1220-4001	Office Supplies-Supervisor	2,625.00
	0100-1640-4443	Equipment Repairs-Sanitation	20,000.00
	0100-3120-2303	Police Vehicles	75,000.00

HIGHWAY FUND:

FROM:	0300-9010-8143	Retirees Medical Insurance	6,000.00
	0300-9010-8151	Group Life Insurance	2,000.00
	0300-9010-8171	Dental Insurance	1,500.00
	0300-5150-4173	Highway Improvements-Stone	10,000.00
	0300-5150-4177	Highway Improvements-Receivers, Pipe	5,000.00
	0300-5150-4178	Highway Improvements-Blacktop	9,500.00
TO:	0300-9010-8141	Employee Health Insurance	9,500.00
	0300-5130-2407	Equipment	15,000.00
	0300-9010-8141	Employee Health Insurance	9,500.00

Item No. 13 continued

SPECIAL DISTRICTS:

FROM:	1500-8160-1411	Cleaner-Sanitation	\$ 12,000.00
	1500-8173-1410	Recycling Drivers	20,000.00
	1500-8173-1409	Recycling Drivers	50,000.00
	2500-8125-8121	FICA Expense	5,000.00
	2500-8125-8121	FICA Expense	7,400.00
	2500-8125-8121	FICA Expense	700.00
TO:	1500-8160-1205	Assistant Foreman	10,000.00
	1500-8160-1391	Part-time Clerical	2,000.00
	1500-8160-1444	MEO-A	5,000.00
	1500-8173-1202	Recycling Drivers	15,000.00
	1500-8160-1492	Seasonal Drivers	50,000.00
	2500-8135-8121	FICA Expense	5,000.00
	2500-8125-8141	Medical Insurance	7,400.00
	2500-8125-8171	Dental Insurance	700.00

RISK RETENTION FUND:

FROM:	1000-1710-4523	Claims Admin.-Workers Comp.	6,000.00
	1000-1934-4703	Judgements & Claims-Public Officers	5,000.00
	1000-1935-4703	Losses-Auto Liability	25,000.00
	1000-1933-4703	Judgements & Claims-Police	5,000.00
	1000-1930-4703	Judgements & Claims-Workers Comp.	35,000.00
TO:	1000-1710-4528	Loss Control-Workers Comp.	6,000.00
	1000-1932-4703	Judgements & Claims-General Liability	70,000.00

Upon Roll Call....

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

Item No. 14 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 November 29, 1991, are hereby approved and made a part hereof:

GENERAL FUND	\$ 5,336,890.13
HIGHWAY FUND	2,534,886.91
TRUST & AGENCY FUND	50,631.13
CDBG HUD FUND	44,315.32
PART TOWN FUND	47,234.70
DEBT SERVICE FUND	9,675.00
RISK RETENTION FUND	105,176.99
STATE AHC FUND	3,502.40
HUD REHABILITATION	21,025.00
SPECIAL DISTRICTS FUND	1,249,889.62
CAPITAL FUND	714,983.75
	<hr/>
	\$10,118,210.95

Upon Roll Call....

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

II. DEPARTMENTAL COMMUNICATION

Item No. 15 Building permits
Received and Filed.

Item No. 16a Supervisor's Statement of Funds - September 1991
Received and Filed.

Item No. 16b Supervisor's Statement of Funds - October 1991
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 17 Notice of Claim: Allstate Insurance Company/Phyllis Boltz vs the
Town of Cheektowaga
Copies were sent to: Frank E. Swiatek, Supervisor; James Kirisits,
Town Attorney; Joan Meyers, Supervisor's Receptionist; Senior
Services and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 18 Notice of Petition and Petition: Consolidated Rail Corp. vs the
State Board of Equalization and Assessment and the Town of
Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.

MOTION BY COUNCILMAN GABRYSZAK, 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, Solecki,
Rogowski and Blachowski
NAYES: 0
ABSENT: 0

IV. SUSPENSION OF RULES

Item No. 19 Motion by Unanimous, Seconded by Unanimous

WHEREAS, at a meeting held on November 26, 1991, this Town Board
adopted a bond resolution authorizing the preparation of preliminary plans, specifi-
cations and estimates necessary for planning for future capital improvements, and
authorizing the issuance of \$80,000 serial bonds of the Town to finance same, and

WHEREAS, this Town Board now wishes to rescind such bond resolution,
NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned November 26, 1991 bond resolution
be and hereby is rescinded in its entirety.

Upon Roll Call....

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

Item No. 20 Bond: Preparation of Plans for Highway Improvement/Traffic Studies
and Construction of New Library

*SEE NEXT PAGE(S) FOR RESOLUTION

AFFIDAVIT - NEXT PAGE

NO. 29

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,
in the County of Erie, New York

December 2, 1991

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A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, Broadway and Union Road, Cheektowaga, New York, on December 2, 1991 at: 7:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Frank E. Swiatek, Supervisor; and

Councilmen: Richard B. Solecki
William P. Rogowski
Jacqueline A. Blachowski
Patricia A. Jaworowicz
Dennis H. Gabryszak

There were absent:

Also present: Richard M. Moleski, Town Clerk
James Kirisits, Town Attorney

*

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*

Present Town Board
Members unanimously offered the following resolution

and moved its adoption:

NO. 29

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED December 2, 1991,
AUTHORIZING THE PREPARATION OF PRELIMINARY
PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY
FOR PLANNING FOR FUTURE CAPITAL IMPROVEMENTS,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$155,000 APPROPRIATING SAID AMOUNT THEREFOR,
AND AUTHORIZING THE ISSUANCE OF \$155,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
prepare, pursuant to Section 99-d of the General Municipal Law,
surveys, preliminary plans and detailed plans, specifications and
estimates necessary for planning for the construction of a new
library and the improvement of various highway intersections
within the Town, two capital improvement projects which may be
undertaken in the future. The estimated maximum cost of said
specific object or purpose, including preliminary costs and costs
incidental thereto and the financing thereof, is \$155,000 and said
amount is hereby appropriated therefor. The plan of financing
includes the issuance of serial bonds of the Town in the

aggregate principal amount of \$155,000 and to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the aggregate principal amount of \$155,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose authorized pursuant to this resolution and for which said \$155,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 62(a) of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity

as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

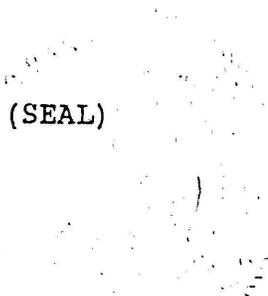
Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

* * *

CERTIFICATE

I, RICHARD M. MOLESKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on December 2, 1991, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 2nd day of December, 1991.


(SEAL)

Richard M. Moleski
Town Clerk

The adoption of the foregoing resolution was seconded by
present Town Board
Members unanimously and duly put to a vote on roll call, which
resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

LEGAL NOTICE
BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED DECEMBER 2, 1991, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING FOR FUTURE CAPITAL IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$155,000 APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$155,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

NOTICE

The resolution published herewith has been adopted on the 2nd day of December, 1991, and the validity of

the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF CHEEKTOWAGA, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI
 Town Clerk

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called "Town"), is hereby authorized to prepare, pursuant to Section 99-d of the General Municipal Law, surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning for the construction of a new library and the improvement of various highway intersections within the Town, two capital improvements projects which may be undertaken in the future. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$155,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of serial bonds of the Town in the aggregate principal amount of \$155,000 and to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$155,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose authorized pursuant to this resolution and for which said \$155,000 serial bonds are to be issued, within the limitations of Section 11.00 a. 62(a) of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall

contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization or redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "CHEEKTOWAGA TIMES," a newspaper published in Cheektowaga, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

PUBLISH: December 5, 1991

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 December 5, 1991..... ;
 last publication December 5, 1991..... ;
 and that no more than six days intervened be-
 tween publications.

Melanie Wolf
 5th

Sworn to before me this
 day of December....., 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

NY 67

Item No. 21 Motion by Supervisor Swiatek, Seconded by Councilman Rogowski

WHEREAS, John and Angelina Valenti, d/b/a Sparkle Car Wash, Inc. (the "Applicants"), applied for a Special Permit for expansion of a car wash and hours of operation on property located at 1249 Walden Avenue in the Town of Cheektowaga, and

WHEREAS, by resolution dated March 4, 1991, this Town Board denied such special permit request, and

WHEREAS, thereafter, the Applicants commenced a special proceeding against the Town in State Supreme Court to overturn the action of the Town Board, and

WHEREAS, a compromise has been reached between this Town Board and the Applicants wherein the hours of operation of the Applicants' car wash would be increased to 24 hours a day, and a vacuum island would be relocated to the west side of the building, NOW, THEREFORE, BE IT

RESOLVED, that the Applicants be and hereby are granted a Special Permit for 1249 Walden Avenue according to the following terms:

1. Car wash operation be limited to the existing four (4) bays.
2. Hours of operation of the car wash be increased to 24 hours per day.
3. Vacuum island be relocated to the west side of the building as per the site plan submitted by the Applicants.
4. Landscaping of the site be approved by the Planning Board.
5. Execution and delivery of a Stipulation of Discontinuance by the Applicants or their attorney relating to the special proceeding commenced by the Applicants against the Town.

Upon Roll Call....

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

Item No. 22 Motion by Councilman Gabryszak, Seconded by Supervisor Swiatek to adjourn this meeting.

NO. 29

ADJOURNED MEETING NO. 30
DECEMBER 30, 1991

ITEM No. 1 AT AN ADJOURNED MEETING OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK HELD AT THE TOWN HALL, CORNER OF BROADWAY AND UNION ROAD, IN SAID TOWN ON THE 30TH DAY OF DECEMBER, 1991 AT 6:00 O'CLOCK P.M., EASTERN STANDARD TIME THERE WERE:

PRESENT: SUPERVISOR FRANK E. SWIATEK
COUNCILMAN PATRICIA A. JAWOROWICZ
COUNCILMAN DENNIS H. GABRYSAK
COUNCILMAN RICHARD B. SOLECKI
COUNCILMAN WILLIAM P. ROGOWSKI
COUNCILMAN JACQUELINE A. BLACHOWSKI

ALSO PRESENT WERE: RICHARD M. MOLESKI, TOWN CLERK; CHESTER BRYAN, TOWN ENGINEER; JAMES KIRISITS, TOWN ATTORNEY; KEVIN SCHENK, DEPUTY TOWN ATTORNEY SALVATORE LAGRECA, EMPLOYMENT AND TRAINING DIRECTOR; DAVID KULIK, SANITATION FOREMAN; ANDREW KULYK, CHAIRMAN OF ZONING BOARD OF APPEALS

I. RESOLUTIONS

ITEM No. 2 ADOPTION OF LOCAL LAW #5 "A LOCAL LAW RELATING TO ZONING"
THIS ITEM WAS WITHDRAWN.

ITEM No. 3 MOTION BY SUPERVISOR SWIATEK SECONDED BY COUNCILMAN BLACHOWSKI

WHEREAS, IT IS THE TOWN BOARD'S DESIRE TO PROMOTE QUALITY AND AFFORDABLE HOUSING TO ITS SENIOR CITIZENS, AND

WHEREAS, CERTAIN FEDERAL REGULATIONS RESTRICT RENTS ON SENIOR CITIZEN HOUSING LEAVING LANDLORDS WITHOUT THE OPTION OF PASSING WATER INCREASES UNTO THEIR TENANTS, AND

WHEREAS, SENIOR CITIZENS IN THESE TYPE UNITS CONSUME APPROXIMATELY 50% AS MUCH WATER AS NON-SENIOR CITIZENS UNITS, AND

WHEREAS, THE TOWN RECOGNIZES ITS SENIOR CITIZEN HOMEOWNERS BY GRANTING CERTAIN EXEMPTIONS; AND, THE TOWN BOARD WISHES TO BE FAIR AND EQUITABLE TO ITS SENIOR CITIZENS RESIDENTS WHO CHOSE TO RENT, NOW, THEREFORE, BE IT

BE IT RESOLVED, THAT THE TOWN BOARD CREATE AN ADDITIONAL WATER CONSUMPTION CHARGE FOR SANITARY SEWER DISTRICT REAL PROPERTY TAXES FOR SENIOR CITIZEN MULTIPLE DWELLING UNITS WHEREBY 95% OF THE DWELLING'S OCCUPANCY IS BY QUALIFIED SENIOR CITIZENS; AND, THE DWELLINGS OWNER(S) CAN DEMONSTRATE THAT THEIR RENTS ARE FEDERALLY RESTRICTED SO AS TO PROVIDE QUALITY AFFORDABLE HOUSING TO THE TOWN'S SENIOR CITIZENS. SUCH RATE SHALL APPROXIMATE 60% OF THE NORMAL MULTIPLE DWELLING UNIT COST.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI, ROGOWSKI AND BLACHOWSKI

NAYES: 0

ABSENT: 0

ITEM No. 4A MOTION BY COUNCILMAN GABRYSAK SECONDED BY COUNCILMAN BLACHOWSKI

WHEREAS, THE CHEEKTOWAGA YOUTH AND RECREATIONAL SERVICES DEPARTMENT IS DESIROUS OF CONTINUING THE OPERATION OF A JOINT PROGRAM WITH CHILD AND FAMILY SERVICES OF ERIE COUNTY, 330 DELAWARE AVENUE, BUFFALO, NEW YORK 14202, FOR THE PURPOSE OF PROVIDING GROUP, INDIVIDUAL AND FAMILY COUNSELING TO POLICE AND COURT REFERRED JUVENILES, YOUTHFUL OFFENDERS, AND RUNAWAY AND HOMELESS YOUTH, AND

NO. 30

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ITEM No. 4A CONTINUED

WHEREAS, THE FIRST OFFENDER AND TROUBLED YOUTH COUNSELING PROGRAM WOULD BE LOCATED AT THE AGENCY'S EAST REGIONAL OFFICE, LOCATED AT 45 ANDERSON ROAD, IN CHEEKTOWAGA, AND

WHEREAS, SAID PROGRAM IS OPEN TO CHEEKTOWAGA YOUTH REGARDLESS OF RACE, COLOR, OR CREED, NOW, THEREFORE, BE IT

RESOLVED, THAT THE SUPERVISOR OF THE TOWN OF CHEEKTOWAGA BE AND HEREBY IS DIRECTED TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND CHILD AND FAMILY SERVICES TO CONTINUE SAID PROGRAM FOR A TWELVE (12) MONTH PERIOD, JANUARY 1, 1992 THROUGH DECEMBER 31, 1992 WITH A TOTAL COST NOT TO EXCEED THE SUM OF \$35,438.00 AND BE IT

FURTHER RESOLVED, THAT CHILD AND FAMILY SERVICES WILL REIMBURSE THE TOWN FOR UP TO \$5,316.00 (15%) OF THE ACTUAL COSTS OF OPERATING SAID PROGRAM AND THE NEW YORK STATE DIVISION FOR YOUTH WILL REIMBURSE THE TOWN FOR UP TO \$15,947.00 (45%) LEAVING THE ACTUAL COST TO THE TOWN AT \$14,175.00 (40%). CONTRACT # (BUDGET LINE ITEM) 01-7310-4687.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI, ROGOWSKI AND BLACHOWSKI

NAYES: 0

ABSENT: 0

ITEM No. 4B MOTION BY COUNCILMAN GABRYSZAK SECONDED BY COUNCILMAN JAWOROWICZ

WHEREAS, THE CHEEKTOWAGA YOUTH AND RECREATIONAL SERVICES DEPARTMENT IS DESIROUS OF CONTINUING THE OPERATION OF A JOINT PROGRAM WITH CATHOLIC CHARITIES METROPOLITAN SERVICES DEPARTMENT OF 525 WASHINGTON STREET, BUFFALO, NEW YORK, 14203, WHEREBY SCHOOL DROP-OUTS, POTENTIAL DROP-OUTS, AND HIGH RISK YOUTH WITHIN THE TOWN WILL RECEIVE VOCATIONAL, EDUCATIONAL, AND PERSONAL ADJUSTMENT COUNSELING THROUGH THE SCHOOL INTERVENTION SERVICE; AND

WHEREAS, SAID PROGRAM IS OPEN TO ALL CHEEKTOWAGA YOUTH REGARDLESS OR RACE, COLOR, OR CREED, NOW, THEREFORE, BE IT

RESOLVED, THAT THE SUPERVISOR OF THE TOWN OF CHEEKTOWAGA BE AND HEREBY IS DIRECTED TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND CATHOLIC CHARITIES METROPOLITAN SERVICES DEPARTMENT, TO CONTINUE SAID PROGRAM FOR A TWELVE (12) MONTH PERIOD, JANUARY 1, 1992 THROUGH DECEMBER 31, 1992 WITH A TOTAL COST NOT TO EXCEED THE SUM OF \$75,796.00 AND BE IT

FURTHER RESOLVED, THAT CATHOLIC CHARITIES METROPOLITAN SERVICES, INC., WILL REIMBURSE THE TOWN UP TO \$18,949.00 (25%) OF THE ACTUAL COST OF OPERATING SAID PROGRAM AND THE NEW YORK STATE DIVISION FOR YOUTH WILL REIMBURSE THE TOWN UP TO \$34,109.00 (45%) LEAVING THE ACTUAL COST TO THE TOWN AT \$22,739.00 (30%). CONTRACT # (BUDGET LINE ITEM) - 01-7310-4677.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI, ROGOWSKI AND BLACHOWSKI

NAYES: 0

ABSENT: 0

ITEM No. 4c MOTION BY COUNCILMAN GABRYSZAK SECONDED BY COUNCILMAN ROGOWSKI

WHEREAS, THE TOWN OF CHEEKTOWAGA IS ELIGIBLE FOR PARTIAL REIMBURSEMENT OF FUNDS EXPENDED FOR YOUTH PROGRAMMING DURING FISCAL YEAR 1992, AND

WHEREAS, THE TOWN OF CHEEKTOWAGA WILL SUBMIT A STATE AID APPLICATION TO THE NEW YORK STATE DIVISION FOR YOUTH FOR FUNDING UNDER THE FOLLOWING PROJECT FUNDING CATEGORIES: YOUTH BUREAU, YOUTH SERVICE, YOUTH INITIATIVES AND RECREATION, NOW, THEREFORE, BE IT

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ITEM No. 4C CONTINUED

RESOLVED, THAT SAID APPLICATION IS APPROVED CONTINGENT UPON THE APPROPRIATION OF FUNDS IN THE ADOPTED 1992 TOWN OF CHEEKTOWAGA BUDGET AND THAT THE SUPERVISOR IS HEREBY DIRECTED AND AUTHORIZED TO DULY EXECUTE AND PRESENT SAME TO THE NEW YORK STATE DIVISION FOR YOUTH.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 4D MOTION BY COUNCILMAN GABRYSAK SECONDED BY COUNCILMAN ROGOWSKI

WHEREAS, THE CHEEKTOWAGA DEPARTMENT OF YOUTH AND RECREATIONAL SERVICES IS DESIROUS OF CONTINUING THE OPERATION OF THE YOUTH ENGAGED IN SERVICE PROGRAM WITH THE YOUTH DEPARTMENT - DIOCESE OF BUFFALO OF 795 MAIN STREET, BUFFALO NEW YORK, WHICH PREPARES TEENAGE VOLUNTEERS TO ASSIST THEIR COMMUNITY IN VARIOUS PROJECTS THAT REQUIRE A NEED FOR VOLUNTEERS, AND

WHEREAS, SAID PROGRAM IS OPEN TO ALL CHEEKTOWAGA YOUTH REGARDLESS OF RACE, COLOR, OR CREED, NOW, THEREFORE, BE IT

RESOLVED, THAT THE SUPERVISOR OF THE TOWN OF CHEEKTOWAGA BE AND HEREBY IS DIRECTED TO EXECUTE SAID AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE YOUTH DEPARTMENT - DIOCESE OF BUFFALO TO CONTINUE SAID PROGRAM FOR A TWELVE (12) MONTH PERIOD, JANUARY 1, 1992 THROUGH DECEMBER 31, 1992 WITH A TOTAL COST NOT TO EXCEED THE SUM OF \$32,725.00 AND BE IT

FURTHER RESOLVED THAT THE YOUTH DEPARTMENT - DIOCESE OF BUFFALO WILL REIMBURSE THE TOWN FOR UP TO \$6,247.00 (19%) OF THE ACTUAL COSTS OF OPERATING SAID PROGRAM AND THE NEW YORK STATE DIVISION FOR YOUTH WILL REIMBURSE THE TOWN UP TO \$12,255.00 (37%) LEAVING THE ACTUAL COST TO THE TOWN AT \$14,223.00 (44%). CONTRACT # (BUDGET LINE ITEM) 01-7310-0004-4685.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 4E AUTHORIZE SUPERVISOR TO EXECUTE AGREEMENT WITH PLANNING CONSULTANT
THIS ITEM WAS WITHDRAWN.

ITEM No. 5 MOTION BY COUNCILMAN ROGOWSKI SECONDED BY COUNCILMAN SOLECKI

BE IT RESOLVED, THAT THE FOLLOWING INDIVIDUALS BE AND HEREBY ARE TERMINATED AS LISTED:

<u>POLICE DEPARTMENT - TRAFFIC MAINTENANCE DIVISION</u>	<u>EFFECTIVE</u>
THOMAS BOLLMAN	12/31/91
THOMAS NOWAK	"
<u>FACILITIES DEPARTMENT</u>	
JOSEPH DOLECKI	12/14/91
EDWARD STANGRET, SR.	12/29/91
<u>POLICE DEPARTMENT</u>	
GARY GAWRONSKI	12/9/91

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ITEM No. 5

SANITATION DEPARTMENT

RONALD F. LYNCH

12/23/91

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 6 MOTION BY COUNCILMAN SOLECKI 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 A WEEKLY BASIS, IN THE VARIOUS DEPARTMENT LISTED AND IN COMPLIANCE WITH THE PROVISIONS OF THE TOWN'S COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION:

SANITATION DEPARTMENT - \$6.00 PER HOUR (CLERICAL) EFFECTIVE

CAROL WEBER

1/1/92

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 7 MOTION BY COUNCILMAN ROGOWSKI SECONDED BY COUNCILMAN BLACHOWSKI

WHEREAS, BY BOARD RESOLUTION THIS TOWN BOARD APPOINTED GENE DUDEK TO THE TEMPORARY POSITION OF TRAFFIC MAINTENANCE WORKER IN THE POLICE DEPARTMENT, AND

WHEREAS, DUE TO BUDGETARY REASONS, GENE DUDEK MUST NOW BE RETURNED TO HIS FORMER PERMANENT POSITION OF MOTOR EQUIPMENT OPERATOR "B" IN THE HIGHWAY DEPARTMENT, NOW, THEREFORE, BE IT

RESOLVED, THAT GENE DUDEK BE AND HEREBY IS RETURNED TO HIS POSITION OF MOTOR EQUIPMENT OPERATOR "B" IN THE HIGHWAY DEPARTMENT EFFECTIVE JANUARY 1, 1992.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 8 MOTION BY COUNCILMAN ROGOWSKI SECONDED BY COUNCILMAN JAWOROWICZ

BE IT RESOLVED, THAT FRANK LASOTA, A PART-TIME EMPLOYEE IN THE FACILITIES DEPARTMENT, HIRED UNDER THE SUPPORTIVE SERVICES PROGRAM, BE AND HEREBY IS TRANSFERRED TO THE YOUTH AND RECREATIONAL SERVICES DEPARTMENT EFFECTIVE JANUARY 1, 1992.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 9A MOTION BY COUNCILMAN SOLECKI SECONDED BY COUNCILMAN BLACHOWSKI

WHEREAS, A PERMANENT VACANCY EXISTS IN THE POSITION OF LIGHT MOTOR EQUIPMENT OPERATOR IN THE SANITATION/RECYCLING DEPARTMENT, AND

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ITEM No. 9A CONTINUED

WHEREAS, SAID VACANCY HAS BEEN POSTED AS PER THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION, AND

WHEREAS, STEPHEN FIALKOWSKI BID ON SAID POSITION AND MEETS ALL THE NECESSARY QUALIFICATIONS, NOW, THEREFORE, BE IT

RESOLVED, THAT STEPHEN FIALKOWSKI OF 23 PENWOOD DRIVE, CHEEKTOWAGA, NEW YORK 14227 BE AND HEREBY IS APPOINTED TO THE POSITION OF LIGHT MOTOR EQUIPMENT OPERATOR IN THE SANITATION/RECYCLING DEPARTMENT IN ACCORDANCE WITH THE TERMS AND CONDITIONS AS SETFORTH IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION, EFFECTIVE IMMEDIATELY.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 9B MOTION BY COUNCILMAN ROGOWSKI SECONDED COUNCILMAN JAWOROWICZ

WHEREAS, A PERMANENT VACANCY EXISTS IN THE POSITION OF WORKING CREW CHIEF IN THE SEWER MAINTENANCE DEPARTMENT, AND

WHEREAS, SAID VACANCY HAS BEEN POSTED AS PER THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA SUPERVISORY UNIT, AND

WHEREAS, ROBERT SKIBNIEWSKI, CURRENTLY EMPLOYED AS A MOTOR EQUIPMENT OPERATOR "A" IN THE SEWER MAINTENANCE DEPARTMENT, BID ON SAID POSITION AND MEETS ALL THE NECESSARY QUALIFICATIONS, NOW, THEREFORE, BE IT

RESOLVED, THAT ROBERT SKIBNIEWSKI OF CHEEKTOWAGA, NEW YORK 14206, BE AND HEREBY IS APPOINTED TO THE POSITION OF WORKING CREW CHIEF IN THE SEWER MAINTENANCE DEPARTMENT, IN ACCORDANCE WITH THE TERMS AND CONDITIONS AS SETFORTH IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA SUPERVISORY UNIT, EFFECTIVE IMMEDIATELY.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 9C MOTION BY COUNCILMAN SOLECKI SECONDED BY COUNCILMAN ROGOWSKI

WHEREAS, THREE (3) PERMANENT VACANCIES EXIST IN THE POSITION OF LABORER IN THE SANITATION DEPARTMENT, AND

WHEREAS, SAID VACANCIES HAVE BEEN POSTED AS PER THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION, AND

WHEREAS, JAMES DEMLER, JEAN CADWALLADER, AND DAVID SURDEJ, ALL CURRENTLY EMPLOYED AS LABORER'S AIDES IN THE SANITATION/RECYCLING DEPARTMENT, BID ON SAID POSITION AND MEET ALL THE NECESSARY QUALIFICATIONS, NOW, THEREFORE, BE IT

RESOLVED, THAT JAMES DEMLER, DEPEW, NEW YORK, 14043.
JEAN CADWALLADER, CHEEKTOWAGA, NEW YORK 14225 AND DAVID SURDEJ OF
SLOAN, NEW YORK 14212, BE AND HEREBY ARE APPOINTED TO THE POSITION
OF LABORER IN THE SANITATION DEPARTMENT IN ACCORDANCE WITH THE TERMS AND CONDITIONS
AS SETFORTH IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA
AND THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION, EFFECTIVE IMMEDIATELY.

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ITEM No. 9c CONTINUED

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 9d MOTION BY COUNCILMAN SOLECKI SECONDED BY COUNCILMAN JAWOROWICZ

WHEREAS, THREE (3) PERMANENT VACANCIES EXIST IN THE POSITION OF
LABORER'S AIDE IN THE SANITATION/RECYCLING DEPARTMENT, AND

WHEREAS, SAID VACANCIES HAVE BEEN POSTED AS PER THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA
EMPLOYEES ASSOCIATION, AND

WHEREAS, THE FOLLOWING INDIVIDUALS HAVE APPLIED FOR SAID VACANCIES
AND MEET ALL THE NECESSARY QUALIFICATIONS, NOW, THEREFORE, BE IT

RESOLVED, THAT THE FOLLOWING INDIVIDUALS BE AND HEREBY ARE APPOINTED
TO THE POSITION OF LABORER'S AIDE IN THE SANITATION/RECYCLING DEPARTMENT IN ACCOR-
DANCE WITH THE TERMS AND CONDITIONS AS SETFORTH IN THE COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA EMPLOYEES
ASSOCIATION, EFFECTIVE IMMEDIATELY:

JAMES McCLOSKEY, CHEEKTOWAGA, NEW YORK 14211
PAUL STRZELCZYK, CHEEKTOWAGA, NEW YORK 14225
STEVEN DUNKOWSKI, SLOAN, NEW YORK 14212

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

MOTION BY COUNCILMAN ROGOWSKI AND SECONDED BY SUPERVISOR SWIATEK TO DISPENSE WITH
READING OF FIGURES IN ITEM No. 10 AND THE VOTING WAS AS FOLLOWS:

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSAK, SOLECKI
ROGOWSKI AND BLACHOWSKI
NAYES: 0

ITEM No. 10 MOTION BY SUPERVISOR SWIATEK SECONDED BY COUNCILMAN GABRYSAK

BE IT RESOLVED, THAT THE FOLLOWING FUND TRANSFERS ARE HEREBY APPROVED
AND MADE A PART HEREOF:

GENERAL FUND

FROM:	0100-3510-4532	VETERINARIAN SERVICES	\$50.00
	0100-3510-4432	KENNEL-REPAIR & MAINTENANCE	300.00
	0100-3510-4221	KENNEL-GAS	2,000.00
	0100-3510-4211	KENNEL-ELECTRIC	700.00
	0100-3510-1491	PART-TIME LABOR	250.00
	0100-3120-1541	PATROLMEN	5,200.00
	0100-3120-1541	PATROLMEN	2,800.00
	0100-3120-2625	DRUG FORFEITURE REVENUE	2,800.00
	0100-3120-1591	CROSSING GUARDS	2,800.00
	0100-3120-1541	PATROLMEN	1,840.00

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ITEM No. 10 CONTINUED

FROM:	0100-7320-1000	PERSONAL SERVICES	146,600.00
	0100-7320-2000	EQUIPMENT	4,000.00
	0100-7320-4000	CONTRACTUAL EXPENSES	269,500.00
	0100-7320-8000	FRINGE BENEFITS	44,096.00
	0100-1415-1400	ADMINISTRATIVE	2,500.00
	0100-1415-1500	SENIOR CLERK	6,771.00
	0100-1415-1600	CLERICAL ASSISTANT	3,679.00
	0100-1415-2000	EQUIPMENT	3,839.00
	0100-1415-4001	CONTRACTED SERVICE	800.00
	0100-1415-4003	TRAVEL	100.00
	0100-1415-4500	SUPPLIES & EQUIPMENT	6,238.00
	0100-1415-8000	EMPLOYEE BENEFITS	1,824.00
	0100-1415-9000	INDIRECT COSTS	1,266.00
	0100-1355-1391	PART-TIME CLERICAL	2,195.00
	0100-1355-4575	CONTRACTED APPRAISAL	270.00
	0100-1450-4342	BOARD OF ELECTIONS POLLING LOCATIONS	400.00
	0100-7620-4681	INSERVICE TRAINING	250.00
	0100-7180-1903	LIFE GUARD BEACH & POOL	1,355.66
	0100-7620-1639	SPECIAL EVENTS	1,500.00
	0100-1410-1154	1ST DEPUTY TOWN CLERK	300.00
	0100-1640-1443	AUTO BODY REPAIR	500.00
	0100-6250-1952	DIRECTOR-JTPA	1,000.00
	0100-9010-8111	POLICE RETIREMENT	15,726.48
	0100-9501-9211	BOND INTEREST	75,000.00
	0100-7110-4491	SPECIAL EVENTS	5,000.00
	0100-1625-2513	RADIO MONITORING EQUIPMENT	5,000.00
	0100-9010-8121	SOCIAL SECURITY	30,000.00
	0100-9010-8111	POLICE RETIREMENT	10,080.00
	0100-7620-1639	SPECIAL EVENTS	10,000.00
	0100-1910-4711	CONTINGENCY	45,000.00

To:	0100-3510-1413	DOG CONTROL OFFICER	3,300.00
	0100-3020-2513	COMMUNICATION EQUIPMENT	5,200.00
	0100-3120-2204	COMPUTER EQUIPMENT	2,800.00
	0100-3120-2625	DRUG FORFEITURE REVENUE	2,800.00
	0100-3120-2205	DRUG FORFEITURE	2,800.00
	0100-3120-4021	BUILDING MAINTENANCE & REPAIRS	1,840.00
	0100-7320-1400	ADMINISTRATIVE ASSISTANTS	1,100.00
	0100-7320-0499	FEDERAL GRANT REVENUE	463,096.00
	0100-1415-3500	STATE AID GRANT	27,017.00
	0100-1355-1403	REAL PROPERTY APPRAISAL TECH.	747.00
	0100-1355-1374	CLERK TYPIST	548.00
	0100-1355-1351	SENIOR CLERK	900.00
	0100-1355-4001	OFFICE SUPPLIES	270.00
	0100-1450-4431	BOARD OF ELECTIONS EQUIPMENT-REPAIR & MAINTENANCE	400.00
	0100-7620-4624	SENIOR CENTER PROGRAMS	250.00
	0100-7310-1374	YOUTH & RECREATION-CLERK TYPIST	1,355.66
	0100-1640-1442	AUTO MECHANICS	500.00
	0100-7620-1604	OUTREACH WORKER	1,500.00
	0100-1410-1155	2ND DEPUTY TOWN CLERK	300.00
	0100-6250-1953	CLERICAL JTPA	1,000.00
	0100-9010-8141	EMPLOYEE MEDICAL	15,726.48
	0100-1910-4709	MANAGEMENT STUDIES	75,000.00
	0100-9010-8101	EMPLOYEE RETIREMENT	80.00
	0100-7410-4439	HEAT & AIR CONDITIONER	5,000.00
	0100-9902-9703	TRANSFER TO RISK RETENTION	100,000.00

HIGHWAY FUND

FROM:	0300-5141-1442	AUTOMECHANICS	5,000.00
	0300-5150-4178	BLACKTOP-HIGHWAY	4,900.00
	0300-9501-9211	BOND INTEREST	2,500.00
	0300-9010-8143	RETIRES MEDICAL	4,057.63
	0300-9010-8181	OPTICAL INSURANCE	1,425.93
	0300-5141-1931	LABOR ALLOCATION	1.47

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FROM:	0300-5141-1931	LABOR ALLOCATION	11,195.00
	0300-5141-1933	LABOR ALLOCATION	5,154.00
	0300-5141-1935	LABOR-SNOW	8,590.00
	0300-5141-1934	LABOR-BRUSH & WEEDS	1,110.00
	0300-5141-1934	LABOR-BRUSH & WEEDS	5,419.00
	0300-5141-1937	LABOR IMPROVEMENTS	2,406.00
	0300-5141-1936	LABOR-OTHER GOVT'S.	482.00
	0300-5110-4173	STONE GENERAL REPAIRS	20,000.00
	0300-5150-4162	GAS & OIL	5,000.00
	0300-5150-4178	BLACKTOP	25,000.00
	0300-5110-4178	BLACKTOP	7,000.00
To:	0300-5141-1421	AUTO MECHANICS HELPER	\$5,000.00
	0300-9010-8121	FICA	4,900.00
	0300-9010-8121	FICA	2,500.00
	0300-9010-8141	EMPLOYEE MEDICAL	4,057.63
	0300-9010-8171	DENTAL INSURANCE	1,425.93
	0300-5110-1701	LABOR-GENERAL REPAIRS	11,195.00
	0300-5130-1701	LABOR-HIGHWAY	5,154.00
	0300-5140-1379	LABOR-BRUSH & WEEDS	1,110.00
	0300-5142-1701	LABOR-SNOW REMOVAL	8,590.00
	0300-5140-1701	LABOR-BRUSH & WEEDS	5,419.00
	0300-5150-1701	LABOR-HIGHWAY IMPROVEMENTS	2,406.00
	0300-5148-1701	LABOR-OTHER GOVTS.	482.00
	0300-9902-0703	TRANSFER TO RISK RETENTION	50,000.00
	0300-5110-1701	LABORER-GENERAL	7,000.00

PART TOWN

FROM:	0800-8020-4001	OFFICE SUPPLIES	\$100.00
	0800-8020-4192	OTHER EXPENSES	100.00
	0800-3620-1165	FIRE INSPECTOR	1,000.00
To:	0800-8020-1051	PLANNING BOARD	200.00
	0800-3620-1100	SUPERVISOR, BLDG. & PLUMBING	1,000.00

SPECIAL DISTRICTS

FROM:	1500-8160-8101	RETIREMENT	\$7,500.00
	2500-8125-8143	RETIRES MEDICAL INSURANCE	537.13
	2500-8125-8143	RETIRES MEDICAL INSURANCE	484.60
	1500-8160-4469	LANDFILL	2,100.00
	2500-8125-4550	PHOTOGRAPHIC MAPPING	13,000.00
	2500-8135-4356	BUFFALO SEWER AUTHORITY	75,000.00
	2300-8123-4352	ERIE Co. SEWER AUTHORITY	25,000.00
	1500-8173-4596	MRF PROCESSING	50,000.00
To:	1500-8160-8121	FICA	\$7,500.00
	2500-8125-8141	EMPLOYEE BENEFITS	537.13
	2500-8125-8171	DENTAL INSURANCE	484.60
	1500-8160-4231	WATER	2,100.00
	2500-8125-2201	OFFICE EQUIPMENT - SD #5	13,000.00
	2500-8125-9171	FIRE & LIABILITY INSURANCE	75,000.00
	2300-8123-9171	INSURANCE RESERVE	25,000.00
	1500-9902-4101	LIABILITY & CASUALTY	50,000.00

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI,
ROGOWSKI AND BLACHOWSKI

NAYES: 0

ABSENT: 0

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ITEM No. 11 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 DECEMBER 27, 1991, ARE HEREBY APPROVED AND MADE A PART HEREOF:

GENERAL FUND	\$226,046.57
HIGHWAY FUND	142,977.63
TRUST & AGENCY FUND	3,342.12
CDBG HUD FUND	75,938.61
PART TOWN FUND	12,339.39
RISK RETENTION FUND	86,670.98
DEBT SERVICE FUND	114,248.00
SPECIAL DISTRICTS	1,286,252.80
CAPITAL FUND	443,804.23
TOTAL	<u>\$2,391,620.33</u>

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI, ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

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

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI, ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

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II. SUSPENSION OF RULES

ITEM No. 12 MOTION BY COUNCILMAN SOLECKI SECONDED BY COUNCILMAN ROGOWSKI

WHEREAS, DUE TO THE REORGANIZATIONAL STRUCTURE OF THE SANITATION/RECYCLING DEPARTMENT, THERE IS THE ELIMINATION OF ONE RECYCLING COORDINATOR POSITION, AND

WHEREAS, IN REACTION TO THE ASSISTANT WORKING CREW CHIEFS SHARING THE DUTIES OF THE ABOLISHED RECYCLING COORDINATOR POSITION, THEY BE PROMOTED TO CREW CHIEF, NOW, THEREFORE, BE IT

RESOLVED, THAT FRANK ORLIKOWSKI AND THOMAS CARNEY BE AND HEREBY ARE PROMOTED TO THE POSITION OF CREW CHIEF IN THE SANITATION/RECYCLING DEPARTMENT, FIRST SHIFT ONLY WITH NO SHIFT DIFFERENTIAL, EFFECTIVE IMMEDIATELY.

UPON ROLL CALL....

AYES: SUPERVISOR SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI, ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 13 MOTION BY UNANIMOUS SECONDED BY UNANIMOUS

WHEREAS, AFTER MONTHS OF STUDIES AND RESEARCH, THE TOWN'S MASTER PLAN STEERING COMMITTEE PRESENTED THIS TOWN BOARD WITH A NEW PROPOSED ZONING LAW, ZONING MAPS AND COMPREHENSIVE MASTER PLAN, AND

ADJOURNED MEETING NO. 30
DECEMBER 30, 1991

ITEM No. 13 CONTINUED

1991, AND WHEREAS, A PUBLIC HEARING ON SUCH DOCUMENTS WAS HELD ON NOVEMBER 26,

WHEREAS, AFTER FURTHER REVIEW, THIS TOWN BOARD HAS DECIDED TO MAKE THE FOLLOWING REFERENCED CHANGES TO THESE DOCUMENTS, NOW, THEREFORE, BE IT

FOLLOWS: RESOLVED, THAT "A LOCAL LAW FOR ZONING" BE AND HEREBY IS CHANGED AS

1. TABLE OF CONTENTS, PAGE II., §82-23 SHALL BE RESERVED.
2. §82-4.A SHALL BE AMENDED BY DELETING "RC RESIDENTIAL CLUSTER DISTRICT".
3. §82-23, RC RESIDENTIAL CLUSTER DISTRICT, BE DELETED IN ITS ENTIRETY.
4. §82-23.A.(3) SHALL BE AMENDED BY DELETING THEREFROM "RC".
5. §82-23.A.(4) SHALL BE AMENDED BY DELETING THEREFROM "RC".
6. §82.35.1.C.(1) SHALL BE AMENDED TO DELETE "RC".
7. §82-23.3 SHALL BE AMENDED BY ADDING THERETO A NEW SUBSECTION "H" TO READ AS FOLLOWS:

"ALL TWO-FAMILY DWELLINGS AND DEVELOPMENTS WITHIN THE RA APARTMENT DISTRICT SHALL BE SUBJECT TO ARCHITECTURAL APPROVAL BY THE PLANNING BOARD."

8. ALL OTHER REFERENCES TO THE RC RESIDENTIAL CLUSTER DISTRICT SHALL BE DELETED.

AND, BE IT FURTHER

RESOLVED, THAT THE ZONING DISTRICT MAP BE CHANGED AS FOLLOWS:

1. GENESEE STREET (VACANT LAND); ASSESSOR'S S.B.L. Nos. 92.03-1-23 AND 92.03-1-24; HAVING A FRONTAGE OF 195+ FEET AND A DEPTH OF 369+ FEET, BE CHANGED FROM M1 LIGHT MANUFACTURING DISTRICT TO MS MOTOR SERVICE DISTRICT.
2. 4217 GENESEE STREET (ASSESSOR'S S.B.L. No. 92.03-1-16.11), HAVING A FRONTAGE OF 27.84 FEET AND A DEPTH OF 1095+ FEET, BE CHANGED FROM CM GENERAL COMMERCIAL DISTRICT TO MS MOTOR SERVICE DISTRICT.
3. BUELL AVENUE (EAST SIDE), FROM THE TERMINUS OF WEST SOBIESKI TO THE SOUTHERLY EDGE OF THE BARRICADE ON BUELL AVENUE BE CHANGED FROM C RETAIL BUSINESS DISTRICT TO R RESIDENCE DISTRICT

AND, BE IT FURTHER

RESOLVED, THAT THESE CHANGES BE AND HEREBY ARE MADE TO THE ABOVE REFERENCED DOCUMENT, EFFECTIVE IMMEDIATELY, AND SHALL BE CONSIDERED TO HAVE BEEN PLACED ON THE DESKS OF THE TOWN BOARD MEMBERS TODAY.

UPON ROLL CALL....

AYES: SUPERVISOR-SWIATEK, COUNCILMEN JAWOROWICZ, GABRYSZAK, SOLECKI, ROGOWSKI AND BLACHOWSKI
NAYES: 0
ABSENT: 0

ITEM No. 14 MOTION BY SUPERVISOR SWIATEK AND SECONDED BY COUNCILMAN ROGOWSKI TO ADJOURN THE MEETING.

RICHARD M. MOLESKI,
TOWN CLERK