

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 April, 1979 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John Rogowski, Town Attorney; Theodore DeFedericis, Chief of Police; Chester L. Bryan, Town Engineer; Ron Zoeller, Sanitation Department Foreman; Ken Kopacz, Executive Director of the Youth Bureau; Ronald Marten, Building & Plumbing Inspector; Sal LaGreca, Assistant Manpower Program Director I; Al Thrun, Cheektowaga Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian.

I. BIDS

Item No. 2 Engineering - Furnishing all tools, equipment, material and labor relative to Stage 1, Phase A of Cedargrove Heights Neighborhood Improvement Program. Referred to Chester L. Bryan, Town Engineer.

Item No. 3 Highway - Sweeper brooms and push brooms. Referred to Alfred Wnek, Highway Superintendent.

Item No. 4 Facility - Leasing and servicing of portable chemical toilets. Referred to Jim Matecki, Director of Facility Department.

II. PUBLIC HEARINGS

Item No. 5 This was the time and place advertised for a public hearing to consider the advisability of extending the Water (Hydrant) District of Cleveland Hill Fire District No. 6 in the Town of Cheektowaga, County of Erie, New York. 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. See next few pages for order calling for public hearing:

At a regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, held in the Town Hall, corner of Broadway and Union Road, in said Town, on the 19th day of March, 1979.

PRESENT:

Hon. Kenneth J. Meyers	Supervisor
Frank E. Swiatek	Councilman
Thomas M. Johnson, Jr.	Councilman
Frank J. Dux	Councilman
George Kaczmarek	Councilman
James R. Burst	Councilman
Donald J. Wegner	Councilman

ABSENT:

In the Matter

of the

Extension of the Water (Hydrant) District of Cleveland Hill Fire District No. 6 in the Town of Cheektowaga, in the County of Erie, New York.

ORDER CALLING
PUBLIC HEARING

April 2, 1979

WHEREAS, the Town Board of the Town of Cheektowaga (herein called "Town Board" and "Town," respectively), in the County of Erie, New York, has requested Nussbaumer & Clarke, Inc., Consulting Engineers, duly licensed engineers of the State of New York, to prepare a preliminary map, plan and report of proposed extension of the Water (Hydrant) District of Cleveland Hill Fire District No. 6, in the Town (herein called "Extension" and "District," respectively), which map, plan and report dated January, 1979, have been filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the Town Board has determined to proceed with the proposed Extension of the District; and

WHEREAS, the proposed Extension of the District is more particularly bounded and described as follows:

PROPOSED EXTENSION TO
CLEVELAND HILL FIRE DISTRICT NO. 6
WATER (HYDRANT) DISTRICT

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a

course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetary, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82') feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48') feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00') feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54') feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21') feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00') feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00') feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00') feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19') feet to a point of beginning.

and

WHEREAS, the purpose of the extension of the district is to afford a supply of water for use by the fire district whose boundaries are being extended contemporaneously to be co-terminus with the boundaries of the extended water district in fighting fires by means of the existing hydrants and any additional hydrants which may be required in the future. The water is supplied by the Erie County Water Authority as are the hydrants and the present charge for each hydrant, including installation and maintenance thereof and the water supplied is the sum of One Hundred Twenty-Six and no/100 (\$126.00) Dollars per year, paid on a monthly basis. The hydrants are installed by the Erie County Water Authority as ordered by the Town Board as Commissioners of the Water Districts, and

WHEREAS, there is no expenditure of money required to finance the cost of the extension and accordingly no issuance of bonds, notes, certificates or other evidences of indebtedness will be required, and

WHEREAS, said map, plan and report is on file in the office of the Town Clerk for public inspection, NOW, THEREFORE, BE IT

ORDERED by the Town Board of the Town of Cheektowaga that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 2nd day of April, 1979, at 7:00 o'clock P.M. Eastern Standard Time, and hold a public hearing on the extension of said District, at which hearing all persons interested in the subject thereof may be heard concerning the same, and BE IT FURTHER

ORDERED that said Town Board shall at said time and place hear all evidence thereon which will enable it to determine, pursuant to the provisions of Article 12-A of the Town Law of New York, (a) whether the notice of such hearing was published and posted as required by law, and is otherwise sufficient; (b) whether all the property and property owners within the proposed extension of said District are benefited thereby; (c) whether all the property and property owners benefited are included within the limits of the proposed extension of said District; and (d) whether the extension of said District is in the public interest, and BE IT FURTHER

ORDERED, that the Town Clerk publish at least once in the CHEEK-TOWAGA TIMES and THE EXAMINER, newspapers with a general circulation within the Town of Cheektowaga, and post on the sign board of the Town maintained pursuant

to subdivision 6 of Section 30 of the Town Law and conspicuously in at least five (5) public places within the proposed Extension of the District 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 day designated herein for said public hearing as aforesaid.

DATED: March 19, 1979

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

Kenneth J. Meyer
Supervisor

Frank E. Swiatek
Councilman

George Kaymark
Councilman

Frank J. Stup
Councilman

Donald P. Peregus
Councilman

James R. Bunt
Councilman

James M. P. P. P.
Councilman

(SEAL)

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

Item No. 5 Cont'd.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which a vote was taken relative to said extension of the Water (Hydrant) District of Cleveland Hill Fire District No. 6; results of voting (15-yes, 0-no). After said voting the Supervisor declared the hearing closed; decision was reserved.

Item No. 6 This was the time and place advertised for a public hearing to consider the advisability of extending the Cleveland Hill Fire District No. 6 in the Town of Cheektowaga, County of Erie, New York. 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. See next few pages for notice of hearing in the matter of the extension of Cleveland Hill Fire District No. 6:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that upon the motion of the Town Board of the Town of Cheektowaga, Erie County, New York, pursuant to the provisions of Article 11 of the Town Law, the Town Board has determined to hold a public hearing in the matter of the extension of Cleveland Hill Fire District No. 6 of said Town to embrace the following described territory:

PROPOSED EXTENSION TO
CLEVELAND HILL FIRE DISTRICT NO. 6

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a

course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetary, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82') feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48') feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00') feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54') feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21') feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00') feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold.

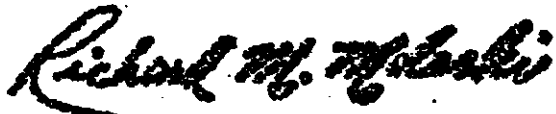
Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00') feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00') feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19') feet to a point of beginning.

and that such public hearing will be held by the Town Board of said Town at the Town Hall, corner of Broadway and Union Road in said Town, on the 2nd day of April, 197⁹ at 7:00 P.M., Eastern Standard Time, and that then and there the said Town Board will hear all persons interested in the matter of the extension of such district, and will then and there take action in the matter.

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

DATED: March 19, 1979



RICHARD M. MOLESKI
Town Clerk

Item No. 6 Cont'd.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which a vote was taken relative to said extension of Cleveland Hill Fire District No. 6; results of voting (14-yes, 0-no). After said voting the Supervisor declared the hearing closed; decision was reserved.

Item No. 7 This was the time and place advertised for a public hearing to consider the dissolution of Tiorunda Fire Protection District No. 2 in the Town of Cheektowaga, County of Erie, New York. 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. See next few pages for notice of hearing in the matter of the dissolution of Tiorunda Fire Protection District No. 2:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to Section 172-d of the Town Law of New York that a hearing will be held at the Town Hall at the corner of Broadway and Union Road, in the Town of Cheektowaga, Erie County, New York, on the 2nd day of April, 1979, at 7:00 o'clock P.M., Eastern Standard Time, for the purpose of considering the matter of dissolution of Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga described as follows:

PROPOSED EXTENSION TO
CLEVELAND HILL FIRE DISTRICT NO. 6

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetary;

Thence westerly, with the last mentioned boundary line, on a

PROPOSED EXTENSION TO
CLEVELAND HILL FIRE DISTRICT NO. 6

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetary;

Thence westerly, with the last mentioned boundary line, on a

course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetary, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82') feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48') feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00') feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54') feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21') feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00') feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00') feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00') feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19') feet to a point of beginning.

Immediately upon dissolution of Tiorunda Fire Protection District No. 2, the area formerly encompassed by Tiorunda Fire Protection District No. 2 will become part of Cleveland Hill Fire District No. 6 to be described as follows:

DESCRIPTION OF CLEVELAND HILL FIRE
DISTRICT NO. 6 AND TIORUNDA FIRE
PROTECTION DISTRICT NO. 2 COMBINED

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York being part of Lots 14, 18, 19, 26, 27, 35, 36, and 37, Township 11, Range 7 of the Holland Land Company's survey, here particularly bounded and described as follows:

BEGINNING at the Northwesterly corner of the Town of Cheektowaga;

THENCE Easterly along the Northerly line of the Town of Cheektowaga 16040 feet, more or less;

THENCE Southerly parallel with Cayuga Road 495 feet (record dimension);

THENCE Westerly parallel with the Northerly line of the Town of Cheektowaga 660 feet (record) to a point in the center line of Cayuga Road;

THENCE Southerly along the center line of Cayuga Road 1581.80 feet (record) to a point in the Northerly line of lands of the Airport Industrial Park;

THENCE Easterly at right angles to Cayuga Road and along said Northerly line of lands of the Airport Industrial Park 1300.42 feet (record) to a point in the Easterly line of Lot 14;

THENCE Southerly along the Easterly line of Lot 14, 730.11 feet (record) to a point in the Southerly line of lands of the Airport Industrial Park;

THENCE Westerly parallel with the Southerly line of Lot 14 and along the Southerly line of lands of the Airport Industrial Park 1291.94 feet (record) to a point in the center line of Cayuga Road;

THENCE Southerly along the center line of Cayuga Road 150 feet (record) to a point in the Northerly line of the Buffalo Trap and Field Club, Inc.;

THENCE Easterly parallel with the Southerly line of Lot 14 and along the Northerly line of lands of the Buffalo Trap and Field Club, Inc., 1290 feet, more or less (record), to the Easterly line of Lot 14;

THENCE Southerly along the Easterly line of Lot 14, 1518 feet (record) to a point in the Southerly line of lands of the Buffalo Trap and Field Club, Inc., being also the Southerly line of Lot 14;

THENCE Westerly along the Southerly line of lands of the Buffalo Trap and Field Club, Inc., and along the Southerly line of Lot 14, 1271.25 feet (record) to a point in the center line of Cayuga Road;

THENCE Northerly along the center line of Cayuga Road 2100 feet, more or less, to a point in the Southerly line of Map Cover 1628 known as Nob Hill Subdivision;

THENCE Westerly along the Southerly line of Nob Hill Subdivision, 2860 feet, more or less, to a point in the center line of Union Road;

THENCE Southerly along the center line of Union Road 400 feet, more or less;

THENCE Westerly along the Southerly line of Map Covers 1647, 1648, 1649 and 1653 known as Wingdale Subdivision Section One, Parts A, B, C and D and along the Southerly line of lands conveyed under Liber 2930 of Deeds, Page 450, 1840 feet, more or less, to a point distant 300 East of the center line of Beach Road;

THENCE Southerly parallel with the center line of Beach Road and 300 feet distant Easterly therefrom, measured at right angles thereto, 739 feet, more or less, to the Southerly line of Lot 19;

THENCE Westerly along the Southerly line of Lot 19, 300 feet to the center line of Beach Road;

THENCE Southerly along the center line of Beach Road 1450 feet, more or less, to the center line of Maryvale Drive;

THENCE Westerly along the center line of Maryvale Drive, 1980 feet, more or less, to the Westerly line of lands now or formerly owned by Niagara, Lockport and Ontario Power Company;

THENCE Southerly along the Westerly line of lands of Niagara, Lockport and Ontario Power Company, 2423.64 feet to the Northeasterly corner of Subdivision Map Cover 1266;

THENCE Westerly along the Northerly line of lands of Map Cover 1266 and along the Northerly line of Greenwood Place, 752.27 feet (record), more or less;

THENCE Northerly, 558.60 feet (record), more or less, along the Easterly line of lands of the Diocese of Buffalo Holy Sepulchre Cemetery to the Northeasterly corner thereof;

THENCE Westerly along the Northerly line of lands of the Diocese of Buffalo Holy Sepulchre Cemetery, 2212.82 feet (record), to the Southeasterly corner of lands of the Buffalo Drive-In Theatres, Inc.;

THENCE Northerly parallel with the Easterly line of Harlem Road and along the Easterly line of said lands of Buffalo Drive-In Theatres, Inc., 876.48 feet (record) to the Northeasterly corner thereof;

THENCE Westerly along the Northerly line of said lands of Buffalo Drive-In Theatres, Inc., 1000 feet (record) to a point in the Easterly line of Harlem Road at the Northwesterly corner of said lands of Buffalo Drive-In Theatres, Inc.;

THENCE Northerly along the Easterly line of Harlem Road, 1018.44 feet (record), more or less, to the center line of Maryvale Drive;

THENCE Northerly along the center line of Harlem Road, 2870 feet, more or less, to a point in the Southerly line of lands now or formerly owned by one Knoche and designated and marked on Plate, or Page 14 of the 1909 New Century Atlas of Erie County as "W. Knoche 55 1-2A";

THENCE Westerly along the Southerly line of said lands of Knoche, 1970 feet, more or less;

THENCE Southerly, 130 feet, more or less;

THENCE Westerly, 160 feet, more or less, to a point in the Easterly boundary of lands designated in said Atlas on said Page as "Land Co.";

THENCE Southerly along the Easterly boundary of lands so designated in said Atlas on said Page as "Land Co." and continuing Southerly along the Easterly line of lands designated in said Atlas on said Page as "W. Hayes" a total distance of 2500 feet, more or less, to the Southeasterly corner of said lands of "W. Hayes";

THENCE Easterly along the Southerly line of lands designated in said Atlas on said Page as "G. F. Rooke", 830 feet, more or less, to the center line of Pine Ridge Road;

THENCE Southerly along the center line of Pine Ridge Road, 1280 feet, more or less, to the center line of Sugar Road, said center line of Sugar Road being also the Northerly line of Pine Hill Fire District No. 5;

THENCE Westerly along the center line of Sugar Road, 2570 feet, more or less, to the Westerly line of the Town of Cheektowaga;

THENCE Northerly along the Westerly line of the Town of Cheektowaga, 6900 feet, more or less, to the Northwesterly corner of the Town of Cheektowaga, the place of beginning, containing 3.049 square miles of land, be it the same, more or less.

The above describing the combined area of lands of Cleveland Hill Fire District No. 6 and Tiorunda Fire Protection District No. 2.

NOTE: All dimensions listed are scaled from Cheektowaga Town Map unless otherwise noted.

The Town Board will meet at the time and place as aforesaid specified for said hearing to hear all persons interested in the subject concerning the same.

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

DATED: March 19, 1979

Richard M. Moleski

RICHARD M. MOLESKI
TOWN CLERK

Item No. 7 Cont'd.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which a vote was taken relative to said dissolution of Tiorunda Fire Protection District No. 2; results of voting (14-yes, 0-no). After said voting the Supervisor declared the hearing closed; decision was reserved.

Item No. 8 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment 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.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
FAWN COURT	Intersection of south street line of Rowley Road and being the north lines of sublots 1 & 27, MC 2383, thence southerly, southeasterly and northeasterly on both sides of Fawn Court	the cul de sac and including sublots 14 through 19, Map Cover 2383.

TYPE OF STREET LIGHTING INSTALLATION

Install five (5) - 7000 lumen post top units underground fee - municipally owned standards (14 ft.).

Estimated cost per year for two years - \$.12 per front foot (Total frontage - 1,513.00)

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

III. RESOLUTIONS

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga received alternative proposals for renewal of its General Insurance Program, and these proposals were evaluated by the Town's Risk and Insurance Manager Ernest Holfoth, and

WHEREAS, it was determined that the program proposed by the present agent, Clauss and Company, was superior to that proposed by the Lawley Service, and that the cost of the renewal program was approximately \$120,000.00 less than last year, and

WHEREAS, it was necessary to effect renewal coverage by March 30, 1979, and the Town Supervisor so acted, NOW, THEREFORE, BE IT

RESOLVED that the selection of the renewal program is hereby ratified by the Cheektowaga Town Board.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has received a Community Development Block Grant award in the amount of \$200,000 from the County of Erie for the purpose of Commercial Revitalization on Walden Avenue within the Town, and

WHEREAS, the overall purpose of the Walden Avenue Commercial Revitalization program is the beautification of Walden Avenue and revitalization of the Walden Avenue Business District, and

WHEREAS, Community Development funds may be used for rehabilitation and revitalization of commercial properties, and

WHEREAS, the \$200,000 Community Development grant received from the County of Erie includes provisions for the award of Facade Improvement grants to owners of commercial properties along Walden Avenue, NOW THEREFORE BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to enter into agreement with the property owners listed below for the purpose of disbursement of Facade Improvement Grants, in sums not to exceed \$1,500.00 per agreement:

- 1) Leonard and Maria Block
- 2) Robert and Marian Lesniowski
- 3) Stanley and Celia Beszczynski

and BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to John Mowatt, Erie County Community Development Director, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Buffalo Basic Ingredients, Inc. has applied for a rezoning from C-Retail Business District to CM-General Commercial District on property located at 1230 French Road, Cheektowaga, New York, and being more particularly described as follows:

SCHEDULE A

All that parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 43, Township 10, Range 7 of the Buffalo Creek Reservation and also being part of Parcel 1 as filed in the Erie County Clerk's Office under Map Cover 2274; being described as follows:

COMMENCING at a point in the center line of French Road said point being 385.17 feet east of the center line of Borden Road; thence north and at right angles to the last mentioned line, 45.00 feet to the north line of French Road and the point of beginning; thence continuing north along a line that forms right angle with the north line of French Road, 150.00 feet to a point; thence east along a line parallel to the center line of French Road, 100.00 feet to a point; thence south along a line that forms a right angle with the north line of French Road, 150.00 feet to a point in the north line of French Road; thence west along the north line of French Road, 100.00 feet to the point of beginning.

BEING AND INTENDED TO BE the same property conveyed to Dalstore Properties Corp. by Deed dated March 20, 1973, filed February 15, 1979 and recorded in Liber 8138, Page 364 of the Deed Records of Erie County, New York.

SUBJECT TO current taxes and assessments not delinquent and taxes and assessments for subsequent years; covenants, restrictions, reservations, rights, rights-of-way and easements of record; zoning ordinances or statutes and building, use and occupancy restrictions of public record.

Item No. 11

Neither grantee nor its successors, assigns or legal representatives, vendees, lessees or sublessees, shall conduct or permit the conduct on the premises of, and the property shall never be used for, a grocery store.

This property is not all or substantially all of the property of the greater corporation.

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of March, 1979 at 6:30 o'clock P.M. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the requirements of Section 6-011, paragraphs (b) and (c), Section 6-05, paragraph (c), and Section 6-10 of the Town Zoning Ordinance dealing with the screening of the adjacent residential area should be complied with, and

WHEREAS, it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, NOW, THEREFORE, BE IT

RESOLVED that said rezoning is granted subject to the owner complying with the provisions of Section 6-011, paragraphs (b) and (c), Section 6-05, paragraph (c), and Section 6-10 of the Town Zoning Ordinance wherein the premises must be properly screened along the boundary line between subject premises and adjacent residential properties, and BE IT FURTHER

RESOLVED that the above described premises be and hereby are rezoned from C-Retail Business to CM-General Commercial District, and BE IT FURTHER

RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly and in accordance with the conditions hereinafter set forth.

Applicant shall file a Deed including restrictions providing that if the said premises shall cease to be used as a veterinary hospital at any time for a period of one year, the property shall revert to the uses presently permitted in a C-Retail Business District only. Said Deed to be filed within 60 days of the date of this resolution, otherwise this rezoning shall be determined to be denied. This rezoning shall be effective upon submitted proof of filing of said Deed.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 4 day of Apr, 1979, and ending on the _____ day of _____, 19____

Signed James L. Charters ^{LC}

Sworn to before me, on the 4
day of Apr, 1979

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

**EXTRACTS FROM MINUTES OF
CHECKTOWNSHIP BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of April, 1979 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.

Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Bursat
Councilman Donald J. Wagner

ABSENT: 0

Motion by Councilman Wagner
Seconded by Councilman Bursat

WHEREAS, Buffalo Basic Investments, Inc. has applied for a rezoning from C-Retail Business District to GM-General Commercial District on property located at 1230 French Road, Cheektowaga, New York, and being also particularly described as follows:

SCHEDULE A

All that parcel of land situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lot 43, Township 10, Range 7 of the Buffalo Creek Reservation and also being part of Parcel 1 as filed in the Erie County Clerk's Office under Map Cover 2274; being described as follows:

COMMENCING at a point in the center line of French Road said point being 308.17 feet east of the center line of Gordon Road; thence north and at right angles to the last mentioned line, 45.00 feet to the north line of French Road and the point of beginning; thence continuing north along a line that forms right angle with the north line of French Road, 150.00 feet to a point; thence east along a line parallel to the center line of French Road, 100.00 feet to a point; thence south along a line that forms a right angle with the north line of French Road, 150.00 feet to a point in the north line of French Road; thence west along the north line of French Road,

100.00 feet to the point of beginning.

BEING AND INTENDED TO BE the same property conveyed to Dalata Properties Corp. by Deed dated March 20, 1973, filed February 15, 1979 and recorded in Liber 8138, Page 364 of the Deed Records of Erie County, New York.

SUBJECT TO current taxes and assessments not delinquent and taxes and assessments for subsequent years; covenants, restrictions, reservations, rights, rights-of-way and easements of record; zoning ordinances or statutes and building, use and occupancy restrictions of public record.

Neither grantee nor its successors, assigns or legal representatives, vendees, leasees or sub-lessees, shall conduct or permit the conduct on the premises of, and the property shall never be used for, a grocery store.

This property is not all or substantially all of the property of the greater corporation.

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of March, 1979 at 8:30 o'clock P.M. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the requirements of Section 6-011, paragraphs (b) and (c), Section 6-05, paragraph (c), and Section 6-10 of the Town Zoning Ordinance dealing with the screening of the adjacent residential area should be complied with, and

WHEREAS, it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, now, therefore, BE IT

RESOLVED that said rezoning is granted subject to the owner

complying with the provisions of Section 6-011, paragraphs (b) and (c), Section 6-05, paragraph (c), and Section 6-10 of the Town Zoning Ordinance wherein the premises must be properly screened along the boundary line between subject premises and adjacent residential properties, and BE IT FURTHER

RESOLVED that the above described premises be and hereby are rezoned from C-Retail Business to GM-General Commercial District, and BE IT FURTHER

RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly and in accordance with the conditions hereinafter set forth.

Applicant shall file a Deed including restrictions providing that if the said premises shall cease to be used as a veterinary hospital at any time for a period of one year, the property shall revert to the uses presently permitted in a C-Retail Business District only. Said Deed to be filed within 60 days of the date of this resolution, otherwise this rezoning shall be determined to be denied. This rezoning shall be effective upon submitted proof of filing of said Deed.

Upon roll call

Supervisor Meyers	Voting AYE
Councilman Swiatek	Voting AYE
Councilman Johnson	Voting AYE
Councilman Dux	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Bursat	Voting AYE
Councilman Wagner	Voting AYE
AYES:	7
NAYES:	0
ABSENT:	0

**STATE OF NEW YORK
COUNTY OF ERIE**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 2, 1979, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes

appear at Item No. 11, 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 April, 1979.

Richard M. Moleski
Town Clerk

Item No. 12 Decision on Rezoning - 1385 French Road.
Item withdrawn.

Item No. 13 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 19th day of March, 1979 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE VIII

Stop and Yield Intersections

Section 80 is amended by adding thereto the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
BARBADOS DRIVE	North-south	LeHAVRE DRIVE	Eastbound	S.W. Corner
BARBADOS DRIVE	North-south	E. CHERBOURG DR.	Eastbound	S.W. Corner
NO. SEINE DRIVE	East-west	BARBADOS DRIVE	Southbound	N.W. Corner
NO. SEINE DRIVE	East-west	MARTINIQUE DR.	Southbound	N.W. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking

NO. SEINE DRIVE South side: from Denise Drive to Towers Blvd.

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

B. No parking anytime

NO. SEINE DRIVE South side: from DENISE DRIVE TO TERMINUS

MARTINIQUE DRIVE East side: from the north curb line of NO. SEINE DRIVE to the south curb line of LeHAVRE DRIVE, extended.

BARBADOS DRIVE East side: from the north curb line of NO. SEINE DRIVE to the south curb line of LeHAVRE DRIVE, extended.

Item No. 13 Cont'd.

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

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

Section 4. Publication and Posting.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the EXAMINER, a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York, and affidavits of such publication and posting shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 4 day of Apr; 1979, and ending on the _____ day of _____, 19____

Signed James L. Charters
Sworn to before me, on the 4
day of Apr, 1979

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

**EXTRACTS FROM MINUTES OF
CHEEKTOWAGA TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of April, 1979 at 7:00 o'clock a.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.

Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wagner

ABSENT: 0

Motion by Councilman Wagner
Seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 19th day of March, 1979 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, 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 matter;

AND WHEREAS, BE IT IS HEREBY RESOLVED:

Section 1.

That this Town Board determine that it is in the public interest to amend the following ordinance in the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and amended:

ARTICLE VII

Sign and Yield Intersections

Section 80 is amended by adding the following:

Sign - BARBADOS DRIVE, Direction - North-south, Entrance Street - LEHARVE DRIVE, Traffic Stop - Eastbound, Sign Location - S.W. Corner; Street - BARBADOS DRIVE, Direction - North-south, Entrance Street - E. CHERBOURG DR., Traffic Stop - Eastbound, Sign Location - S.W. Corner; Street - NO. SEINE DRIVE, Direction - East-west, Entrance Street - BARBADOS DRIVE, Traffic Stop - Southbound, Sign Location - N.W. Corner; Street - NO. SEINE DRIVE, Direction - East-west, Entrance Street - MARTINIQUE DR., Traffic Stop - Southbound, Sign Location - N.W. Corner.

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking - NO. SEINE DRIVE, South side: from Denise Drive to Towers Boulevard

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

B. No parking anytime
NO SEINE DRIVE, South side: from DENISE DRIVE to TERMINUS;
MARTINIQUE DRIVE, East side: from the north curb line of NO. SEINE DRIVE to the south curb line of LEHARVE DRIVE, extended; BARBADOS DRIVE, East side: from the north curb line of NO. SEINE DRIVE to the south curb line of LEHARVE DRIVE, extended.

Section 2. Time in take effect.

(a) This amendment 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 this amendment which is 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.

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

Section 4. Publication and Posting.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the Examiner a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York,

and affidavits of such publication and posting shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call

Supervisor Meyers	Voting AYE
Councilman Swiatek	Voting AYE
Councilman Johnson	Voting AYE
Councilman Dux	Voting AYE
Councilman Kaczmarek	Voting AYE
Councilman Burst	Voting AYE
Councilman Wagner	Voting AYE
AYES:	7
NAYES:	0
ABSENT:	0

**STATE OF NEW YORK
COUNTY OF ERIE**

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on April 2, 1979, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 13, inclusive, of said book.

2. I have compared the attached extract with said minutes as 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 April, 1979.

Richard M. Moleski
Town Clerk

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, Greyhound Lines, Inc. has petitioned this Town Board for consent to operate a bus route in and along certain public streets in the Town of Cheektowaga as more particularly set forth in the following Notice of Hearing, to wit:

NOTICE OF HEARING

NOTICE IS HEREBY given pursuant to Section 64, Subdivision 7 of the Town Law of New York, that a hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, in the Council Chambers of the Town Hall, located at the corner of Broadway and Union Road in said Town on Monday, April 18, 1979 at 6:00 o'clock p.m., Eastern Standard Time, for the purpose of considering and hearing all persons interested in the petition of GREYHOUND LINES, INC. for consent to operate a bus route in and along the following highways in the Town of Cheektowaga, to wit:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Kensington Expressway (N.Y. T. 33)	City of Buffalo-Town of Cheektowaga Line	Genesee Street
Genesee Street	Kensington Expressway	Airport Access Road
Airport Access Road	Genesee Street	West Airport Terminal
Airport Road	West Airport Terminal	East Airport Terminal
Airport Access Road	East Airport Terminal	Genesee Street
Genesee Street	Airport Access Road	Transit Road (N.Y. Rt. 78)
Transit Road	Genesee Street	Town of Cheektowaga - Town of Amherst Line

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

RICHARD M. MOLESKI
Town Clerk

BE IT RESOLVED that the Town Clerk be and is hereby directed to publish the foregoing notice in the CHEEKTOWAGA TIMES on April 5, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Hestiter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication *April 5, 1979* ;
last publication *April 5, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hestiter

Sworn to before me this *6th*

day of *April*, 19...*79*...

..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19...*81*

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 April, 1979 at 7:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilmen:
Frank E. Swiatek
Thomas M. Johnson, Jr.
Frank J. Dux
George Kaczmarek
James R. Burst
Donald J. Wegner

ABSENT: 0

Motion by Supervisor Meyers
Seconded by Councilman Kaczmarek

WHEREAS, GREYHOUND LINES, INC. has petitioned this Town Board for consent to operate a bus route in and along certain public streets in the Town of Cheektowaga as more particularly set forth in the following Notice of Hearing, to wit:

NOTICE OF HEARING

NOTICE IS HEREBY given pursuant to Section 64, Subdivision 7 of the Town Law of New York, that a hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York, in the Council Chambers of the Town Hall, located at the corner of Broadway and Union Road in said Town on Monday, April 18, 1979 at 6:00 o'clock p.m., Eastern Standard Time, for the purpose of considering and hearing all persons interested in the petition of GREYHOUND LINES, INC. for consent to operate a bus route in and along the following highways in the Town of Cheektowaga, to wit:

ON Kensington Expressway (N.Y. T. 33); FROM City of Buffalo-Town of Cheektowaga Line; TO Genesee Street

ON Genesee Street; FROM Kensington Expressway; TO Airport Access Road

ON Airport Access Road; FROM Genesee Street; TO West Airport Terminal

ON Airport Road; FROM West Airport Terminal; TO East Airport Terminal

ON Airport Access Road; FROM East Airport Terminal; TO Genesee Street

ON Genesee Street; FROM Airport Access Road; TO Transit Road (N.Y. Rt. 78)

ON Transit Road; FROM Genesee Street; TO Town of Cheektowaga-Town of Amherst Line

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

RICHARD M. MOLESKI

Town Clerk

BE IT RESOLVED that the Town Clerk be and is hereby directed to publish the foregoing notice in the **CHEEKTOWAGA TIMES** on April 5, 1979.

Upon roll call...

Supervisor Meyers Voting **AYE**

Councilmen:

Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Kaczmarek	Voting AYE
Burst	Voting AYE
Wegner	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

Item No. 15 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, the Town Board adopted a resolution on January 15, 1979 designating the first and third Mondays of each month during the year 1979 at 7:00 p.m. for the holding of regular Town Board meetings, and

WHEREAS, the volume of legislative and other pertinent matters relating to Town business have increased considerably during the recent past, and

WHEREAS, the needs and requests of residents and others regarding Town affairs have also increased in volume, and

WHEREAS, the administration of Town business and the problems and requests of Town residents and others would be more adequately and expeditiously carried out by the Town Board holding another, regular monthly meeting in addition to the two regular monthly meetings presently being held, therefore, BE IT

RESOLVED that the regular Town Board meetings of the Town of Cheektowaga shall be held on the first and third Mondays of the month at 7:00 p.m. and on the fourth Monday of each month at 1:00 p.m. during the year 1979, and BE IT FURTHER

RESOLVED that this resolution shall take effect immediately.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is presently engaged in a sanitary sewer project known as Sanitary Sewer District No. 8 which requires appraisals of certain parcels of property within the district for the purpose of condemnation proceedings, now, therefore, BE IT

RESOLVED that Robert Laport, with offices in the Statler Hilton, Buffalo, New York, be and hereby is retained to appraise said parcels of property owned by Fred M. Calandra and Salvatore C. Calandra (Easements Nos. 15 and 22), Sonwil Distribution Center, Inc. (Easements Nos. 17A and 17B) and Samuel S. Belsito and C. Irving Smith (Easement No. 16), and BE IT FURTHER

RESOLVED that Robert Laport be paid the reasonable fees for said service, said fee not to exceed the sum of \$1,500.00 for the five appraisals.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Dux

BE IT RESOLVED that the law firm of Kavinoky, Cook, Hepp, Sandler, Gardner and Wisbaum, located at 120 Delaware Avenue, Buffalo, New York, be and hereby is retained to represent the Town of Cheektowaga in any necessary condemnation proceedings involving easements on any properties necessary for the Sanitary Sewer District No. 8 project, and BE IT FURTHER

RESOLVED that their reasonable fees and expenses be paid by the Town.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Richard H. Mack has made application and requested the rezoning of property located at 20 and 22 Beechwood Place, in the Town of Cheektowaga, New York from R-Residential District to RA-Apartment District, said applicant being the owner of property aforementioned, NOW THEREFORE BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 18, 1979 at 5:30 o'clock p.m., Eastern Standard Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Sechters, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication..... *April 5, 1979* ;
last publication..... *April 5, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechters

Sworn to before me this *6th*

day of *April*, 19*79*

..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*81*

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 18th day of April 1979, at 5:30 o'clock P.M. Eastern Standard Time of said day for the purpose of considering the application of Richard H. Mack to Rezone from R - Residential District to RA - Apartment District on property located at 20 and 22 Beechwood Place and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

DESCRIPTION

PARCEL "A" - 20 Beechwood
ALL THAT TRACTOR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Number 143 as shown on a map of Beechland, filed in Erie County Clerk's Office under Cover Number 1266.

PARCEL "B" - 22 Beechwood
ALL THAT TRACTOR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 26, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Number 144 as shown on a map of Beechland filed in Erie County Clerk's Office under Cover Number 1266.

DATED: December 7, 1977

All parties in interest are hereby notified that an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek

Thomas M. Johnson, Jr.

Frank J. Dux

George Kaczmarek

James R. Burst

Donald Wagner

RICHARD M. MOLESKI

Town Clerk

Item No. 19 Motion by Councilman Burst, seconded by Councilman Kaczmarek

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

WHEREAS, such analysis, tabulation and report has been completed, now, therefore, BE IT

RESOLVED that the bids be awarded to the sole responsible bidder meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next page for copy of tabulation.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

March 28, 1979

Hon. Supervisor Kenneth J. Meyers
Hon. Members of the Town Board
Town of Cheektowaga, New York 14227

Re: Award of bid for new trees for spring planting

Gentlemen:

As a result of advertizing for trees for 1979 spring planting, one bidder submitted a bid for trees, which was opened at the meeting of March 19, 1979; therefore, I recommend that the award be given to Schichtel Nursery of 6745 Chestnut Ridge Road, Orchard Park, New York, for the following:

NORWAY MAPLE-----	\$ 7.85 each
LITTLELEAF LINDEN MAPLE --	10.45 each
MALUS AMERICAN BEAUTY ----	10.45 each
COL. NORWAY MAPLE -----	11.15 each
KWANZAN CHERRY -----	10.45 each
SHADEMASTER LOCUST -----	10.45 each
CRIMSON KING MAPLE -----	13.15 each

I trust the above recommendation will meet with your kindly approval.

Very truly yours,
TOWN OF CHEEKTOWAGA


ALFRED F. WNEK
SUPT. OF HIGHWAYS

AFW/bg
cc: Town Clerk
Town Atty.
Al Blachowski, Eng. Dept.
Jerry Gabryszak - Council office
file

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

Item No. 19 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the Main Pump Station as part of the Town of Cheektowaga Sewer District No. 5 Water Pollution Abatement Program, and which bids were duly received and opened at the regular Town Board Meeting of March 19, 1979, AND

WHEREAS, said bids were referred to the consulting firm of Nussbaumer & Clarke, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter of the Town Engineer to the Town Board dated March 29, 1979, AND

WHEREAS, said report recommends that the contracts for the Main Pump Station be awarded to:

<u>CONTRACT</u>	<u>AMOUNT</u>	<u>CONTRACTOR</u>
3A--General Construction	\$2,548,900.00	Frank L. Ciminelli Construction Co., Inc.
3B--Mechanical	\$1,068,300.00	Aquasan Corporation
3C--Plumbing	\$ 83,498.00	Frontier - Snyder Mechanical Contractors
3D--Heating, Ventilation & Air Conditioning	\$ 272,772.00	John W. Danforth Company
3E--Electrical	\$ 567,000.00	Ferguson Electric Construction Co., Inc.
3F--Instrumentation	\$ 149,000.00	Ferguson Electric Const. Co., Inc. (\$10,000 was de- ducted from the bid price under combination item of the specifications.)

siad bids being the lowest complying with the specifications, NOW, THEREFORE,
BE IT

RESOLVED, that the contracts for the construction of the Main Pump Station be and hereby are awarded to the above listed bidders for their submission of the lowest bids meeting the requirements of the specifications, and, BE IT FURTHER

RESOLVED, that said bid awards to the above listed companies are conditional upon the approval of the bid awards by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, sign the agreements with said successful bidders after approval of bid award is granted by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency.

*See next two pages for bid tabulation.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2300

March 29, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Award of Bid -
Main Pump Station

Gentlemen:

At the regular Town Board Meeting on March 19, 1979, bids were received and opened for the construction of a main pump station at the Wastewater Treatment Plant No. 5 site on Central Blvd. Bids were received for Contracts 3A, 3B, 3C, 3D, 3E and 3F. The following contractors submitted the lowest prices for their respective contracts:

CONTRACT	AMOUNT	CONTRACTOR
3A - General Construction	\$2,548,900.00	Frank L. Ciminelli Construction Co., Inc.
3B - Mechanical	\$1,068,300.00	Aquasan Corporation
3C - Plumbing	\$ 83,498.00	Frontier-Snyder Mechanical Contractors
3D - Heating, Ventilation & Air Conditioning	\$ 272,772.00	John W. Danforth Company
3E - Electrical	\$ 567,000.00	Ferguson Electric Construction Co., Inc.
3F - Instrumentation	\$ 149,000.00	Ferguson Electric Construction Co., Inc. (\$10,000. was deducted from the bid price under combination of contracts item of the speci- fications.)

These bids were reviewed by Nussbaumer & Clarke, Inc. with a tabulation report submitted in their letter of March 26, 1979 and addressed to the Supervisor. In their letter of March 27, 1979 to the Town Engineer, Nussbaumer & Clarke, Inc. listed certain bid forms that were included but not signed. These have since been signed by the respective contractors. No change in the bid award is recommended by said consulting engineering firm.

Town Board Members

March 29, 1979

Re: Award of Bid - Main Pump Station

We concur with their findings and recommend that the bids be awarded to the above listed contractors for submission of the lowest bids meeting the requirements of the specifications.

The contract award will become official only after approval of our awards are approved by state and federal agencies. We will be submitting all necessary documents to the New York State Department of Environmental Conservation for approval of these contracts.

Very truly yours,

TOWN OF CHEEKTOWAGA



Chester L. Bryan, P.E.
Town Engineer

CLB:mjh

cc: John Rogowski,
Town Attorney

Item No. 20 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, bids were duly received on March 19, 1979 as the result of advertisement, therefore, for the furnishing of chemical sewer root control for various Town of Cheektowaga requirements for the year of 1979, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said Town Engineer submitted same which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of said chemical sewer root control as per said unit prices and as recommended by the Town Engineer be and the same is hereby awarded to:

<u>NAME</u>	<u>ITEM</u>	<u>PRICE</u>
Duke's Sales & Service, Inc.	I - Vaporooter	\$27.50/gal.
1020 Hiawatha Boulevard	II - Vaporooter	\$22.50/gal.
West Syracuse, NY 13204		

*See next page for copy of tabulation.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

March 20, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Chemical Sewer Root
Control for 1979

Gentlemen:

At the Regular Town Board Meeting of March 19, 1979 bids were received and opened for the furnishing of chemical sewer root control for various departments in the Town of Cheektowaga.

One (1) bid was received with the total listed as follows:

<u>BIDDER</u>	<u>ITEM I</u>	<u>ITEM II</u>
Duke's Sales and Services, Inc. 1020 Hiawatha Boulevard West Syracuse, New York 13204	Vaporooter (Sanitary) \$27.50 gal.	Vaporooter (Storm) \$22.50 gal.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

Allan B. Blachowski

BY: Allan B. Blachowski
Engineering Aide

CLB:ABB:dmr

Item No. 21 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1979 fiscal year, NOW, THEREFORE, BE IT

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

RESOLVED, that the Town Board meet on the 18th day of April, 1979 at 6:00 P.M., Eastern Standard Time, at the Town Hall, Broadway and Union Roads, Cheektowaga, New York for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 18, 1979 at 6:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the year of 1979.

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 interests of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: March 29, 1979

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Madga M. Sechter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks:
first publication..... *April 5, 1979* ;
last publication..... *April 5, 1979* ;
and that no more than six days intervened be-
tween publications.

Madga M. Sechter.....

Sworn to before me this *6* th.....

day of *April* , 19..... *79*

..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 *81*

NOTICE TO BIDDERS
The Town of Cheektowaga, Erie County, New York, will receive bids on April 18, 1979 at 10 P. M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of corrugated metal pipe and reinforced concrete pipe for the year of 1979.

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 interests of the Town, or reject any and all bids.

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

RICHARD R. MOLETTI
Town Clerk

DATED: March 28, 1979

Item No. 23 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, an enlargement of the scope of work on the State-Federal Grant Program for the Sewer District No. 3 connection to the Erie County Sewer District No. 4 Contract is essential in order to eliminate hazardous conditions at the Wastewater Treatment Plant No. 3 Site, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 3 for the Sewer District No. 3 connection to the Erie County Sewer District No. 4 to Copece Contracting Corporation, 3135 Walden Avenue, Depew, New York 14043, for work as described in a letter dated March 29, 1979 from the Town Engineer, in the amount of \$36,108.20 in addition to the contract signed, be approved and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said change order on behalf of the Town of Cheektowaga.

*See next few pages for copy of letter and change order.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

March 29, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 3
Sewer District No. 3 Connection
to Erie County Sewer District No. 4

Gentlemen:

Upon the completion of the Sanitary Sewer District No. 3 connection to Erie County Sewer District No. 4 we had requested the New York State Department of Environmental Conservation to extend the scope of that contract to include additional work which would insure that the possible hazard does not exist at this location. The next phase of work at this site would have taken care of these items, but we were concerned about the possibility of trespassers endangering their lives on our property.

This Change Order No. 3, as approved by the New York State Department of Environmental Conservation permits us, under the original grant, to completely fence in the property. The work also calls for the filling in of the deep primary and secondary settling basins. It also permits demolition of unnecessary and hazardous structures at that site.

Attached is a resolution requesting your approval of this change order.

Very truly yours,

TOWN OF CHEEKTOWAGA

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

CLB:mjh

NUSSBAUMER & CLARKE, INC.
CONSULTING ENGINEERS
310 DELAWARE AVENUE
BUFFALO, NEW YORK 14202

Change Order No. 3 Date March 20, 1979
Contract No. 20 Sheet 1 of 3
File No. 77-113

Project Connection of Sewer District #3 to Erie County Sewer District #4
Community's Name Town of Cheektowaga, Engineering Department
Community's Address Broadway and Union Road, Cheektowaga, New York 14227
Contractor's Name Copece Contracting Corporation
Contractor's Address 3135 Walden Avenue, Depew, New York 14043

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK Demolition of the treatment structures and the filling and grading of ground level basins. Installation of 240 feet of chain link fence. Electrical alarms and controls.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK As an unmanned facility, this site provides too great a public hazard, therefore, demolition and fencing is necessary. Additional alarms and controls are required for safety and operator convenience.

ITEMIZATION OF CONTRACTOR'S PROPOSAL ON THIS CHANGE

ORIGINAL CONTRACT SUM	\$143,926.00
NET AMOUNT OF PREVIOUS CHANGE ORDERS	16,455.66
NET AMOUNT OF THIS CHANGE ORDER	36,108.20
TOTAL CONTRACT SUM TO DATE	\$196,489.86

APPROVALS:

Community	<u>Kenneth J. Meyer</u>	Date	<u>4/2/79</u>
Contractor	<u>Samuel S. Copece</u>	Date	<u>3/21/79</u>
Engineer	<u>William de la Cruz</u>	Date	<u>3/24/79</u>
County DEQ		Date	

N. Y. S. Department of Environmental Conservation

CHANGE ORDER NO. 3

CONNECTION OF SEWER DISTRICT #3

TO ERIE COUNTY SEWER DISTRICT #4

Hossbaumer & Clarke Project No. 77-113

Federal - State C-36-390

Contract No. 20

Item Description	Quantity	Unit	Unit Cost	Total
Demolition:				
#1 Mobilization				\$ 990.00
#1a Grit Chamber				2,300.00
#2 Primary Tanks				3,620.00
#3 Dosing Chamber				3,290.00
#4 Effluent Channel				2,300.00
#5 Digester Tank				2,620.00
#6 Chlorine House				4,740.00
#7 Settling Tanks				4,863.00
#8 Fence Installation-248ft				2,272.00
Total for demolition				\$26,995.00
Control, alarm & status monitoring:				
Manual controls for gates				\$ 506.00
Alarm - high & horn at Plant #5 for intrusion & high flow at Plant #3				\$ 1,575.50
Rotating beacon alarm light at Plant #3				\$ 604.00
Leased telephone line between Plant #3 & ECSD #4 monitoring station				\$ 161.00
Subtotal				\$29,841.50
+10% overhead				32,825.65
+10% profit				\$36,108.20
Total				\$36,108.20

Checked by
Date 10-1-78

CHANGE ORDER NO. 3

**CONNECTION OF SEWER DISTRICT #3
TO ERIE COUNTY SEWER DISTRICT #4**

**MUSSBAUMER & CLARKE, PROJECT NO. 77-113
Federal-State C-36-390**

Contract No. 20

ELIGIBLE AND INELIGIBLE REPORT

	Contract Amount	Net Change In Contract Amount	Revised Contract Amount
Eligible	\$160,381.66	\$ 36,108.20	\$196,489.86
Ineligible			

Item No. 23 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town Board in a resolution dated September 19, 1960 provided sanitary sewer services to serve the southeast corner of Union Road and Wehrle Drive in the Town of Amherst and property on the north side of Wehrle Drive near Union Road, also in the Town of Amherst, said property owned by Mrs. Esmond, and

WHEREAS, the annual sewer charges as set forth in the resolution are less than the cost charged to residents of the Town Sewer District No. 5, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned property be charged sanitary sewer taxes following the same formula applicable to Sanitary Sewer District No. 5.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, various areas within Sanitary Sewer District No. 7 in the Town of Cheektowaga have experienced sanitary sewer back-ups in basements and what appears to be possible inflow and infiltration of storm water into the sanitary sewer system, AND

WHEREAS, the Town is presently engaged in vast capital improvements to its sanitary sewer system in said district, AND

WHEREAS, it appears necessary to further examine the laterals, sewer lines and other related connections and facilities upon various parcels of real property occupied by Town residents in said district in order to attempt to find the cause of the back-ups and basement floodings as they relate to, and affect, the sanitary sewer system, AND

WHEREAS, it appears that a Pilot Project which would include the submission of applications by any interested property owner who is adversely affected by sanitary sewer back-up problems in the homeowner's basement, or storm waters in the basement or adjacent ground area which may be suspected to be infiltrating the sanitary sewer system is necessary and appropriate, AND

WHEREAS, such investigation and corrective work had proven to be effective in controlling such infiltration, AND

WHEREAS, the Town Board acting as the Board of Managers of Sanitary Sewer District No. 7 and the Town Engineer would select applicants which in their judgment would compose, as a group, an overall sampling of the potential cause of storm water infiltration into the sanitary sewer system with the ultimate objective to correct any defects resulting therefrom, AND

WHEREAS, it appears that such a project would benefit all of the area of Sanitary Sewer District No. 7 and its residents and its purpose is not to benefit any individual property owners and would seem to be consistent with, so far as possible, a comprehensive plan for sanitary sewers developed and maintained in said district, AND

WHEREAS, said Pilot Project appears to be permissible under the applicable provisions of Section 198 of the Town Law whereby the Town can expend monies for such purposes from the Sanitary Sewer District No. 7 funds as budgeted

Item No. 25 Cont'd.

by the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Pilot Project as above set forth be and hereby is adopted by the Town of Cheektowaga and the details of implementing such Pilot Project including notices to owners, furnishing of applications and arranging for agreements between the selected owners and the Town for permission to allow Town employees and its agents or contractors to go upon the selected properties to do said work be arranged and submitted by the Town Engineer and the Town Attorney's Office, and, BE IT FURTHER

RESOLVED, that the expenses of such project, including labor and materials be chargeable to the Sanitary Sewer District No. 7 budget in an amount not to exceed \$4,600.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Facility Department is in need of one (1) new 3/4 ton, 4-wheel drive pick-up truck with snow plow, AND

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

RESOLVED that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicle, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 18th day of April, 1979 at 6:00 P.M. Eastern Standard Time for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 18, 1979 at 6:00 P.M. at the Town Hall, corner of Broadway and Union Road for the furnishing of one (1) new 3/4 ton, 4-wheel drive pick-up truck with snow plow for use by the Facility Department of the Town of Cheektowaga.

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 interests of the Town, or reject any and all bids.

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

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

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

Gladys M. Sestito, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clark* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for¹..... weeks:
first publication *April 5, 1979* ;
last publication *April 5, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sestito.....

Sworn to before me this *6th*

day of *April*, 19 *79*

..... *Naidine C. Williams*

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

NAIDINE C WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 *81*

and considered by the Town Board of the Town of Cheektowaga on April 18, 1979 at 6:00 p.m. at the Town Hall, corner of Broadway and Union Road for the furnishing of one (1) new 3/4 ton, 4-wheel drive pickup truck with snow plow for use by the Facility Department of the Town of Cheektowaga.

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 interests of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI

Town Clerk

DATED: April 2, 1979

Item No. 27 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission from Facility Department Director, James J. Matecki to utilize Losson Community Park located on Losson Road, Cheektowaga, New York to conduct a professional "Dog Show", AND

WHEREAS, the Kennel Club of Buffalo, Inc. has requested the date of June 3, 1979, AND

WHEREAS, the intent and purpose of the Kennel Club of Buffalo, Inc. and the Town of Cheektowaga is to reserve the area known as Diamond Number One, located within Losson Community Park, AND

WHEREAS, the primary purpose of said "Dog Show" is to afford the general public an opportunity to observe various Pedigree species, categorized and professionally judged, AND

WHEREAS, the Kennel Club of Buffalo, Inc. has submitted a Certificate of Insurance from the Agency of Gerstman & Gerstman, 1130 Rand Building, Buffalo, New York, agent for the Zurich Insurance Company, to insure: General Liability to include Bodily Injury Liability in the amount of \$300,000.00 each occurrence and Property Liability in the amount of \$50,000.00 each occurrence, NOW THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board grants to the Kennel Club of Buffalo, Inc. exclusive use of the area known as Diamond Number One (1), Two (2) and Three (3); the Losson Community Center at Losson Community Park, on June 3, 1979, between the hours of 8:00 a.m. and 6:30 p.m. under the guidelines set forth within said resolution.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Facility Department - Town Board authorization to permit a waiver of Article 48-8 of the Code of the Town of Cheektowaga relative to "Dog Show" to be conducted at Losson Road Park.
Item Withdrawn.

Item No. 29 Motion by Councilman Swiatek, seconded by Councilman Dux

RESOLVED that the following individuals be hired as Seasonal Maintenance Mechanics in the Facility Department of the Town of Cheektowaga for the 1979 Season, at the rate of \$3.50 per hour:

Ronald Beals -
Raymond Schieder -

and, BE IT FURTHER RESOLVED that the following individuals be hired as Seasonal Laborers in the Facility Department at the rate of \$2.65 per hour:

John Rosenberry -
Michael T. Serio -
William Maturski -
David Longo -
Jeffrey Szymanski -
Jack Kirisits -
James Trzaska -
David Janiszewski -
Robert Malicki -
William Chrusciski -
Robert Dombrowski -
James Dunn -
Paul Rutkowski -
James Lumadue Jr. -
Paul Mazurkiewicz -

Item No. 29

Daniel Allen	-	5 Karen Lane	-	684-8626
Mark Wegner	-	89 Lloyd Drive	-	684-4849

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 29a Motion by Supervisor Meyers, seconded by Councilman Dux

BE IT RESOLVED, that the following person be and hereby is hired as a Seasonal (Part-time clerical) Employee to assist Ronald R. Norman, Receiver of Taxes and Assessments, in the 1979-1980 Tax Collection and that her pay be fixed at the sum of twenty-two (\$22.00) dollars per day:

Jenny Dudek

Cheektowaga, NY 14225

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Councilman Kaczmarek, seconded by Councilman Burst

BE IT RESOLVED that the following be and hereby are hired as seasonal laborers, as replacements for vacations as needed, in the Sanitation Department, at an hourly salary of \$3.00 per hour:

Thomas Truax	-	Cheektowaga, New York
William Bannister	-	Cheektowaga, New York
Vince Lema	-	Cheektowaga, New York
Kevin J. Zurenda	-	Cheektowaga, New York

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 31 Appointment of Clerk-Typist in the Cheektowaga Police Department. Item Withdrawn.

Item No. 32 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, there is an opening in the Wastewater Treatment Plant No. 5 for a maintenance man, AND

WHEREAS, the job opening has been posted on bulletin boards in accordance with the Local 1026 AFL-CIO Agreement, NOW, THEREFORE, BE IT

RESOLVED, that the following is hereby promoted to maintenance man at the current wage rate for said position effective April 9, 1979:

John Dunn

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Air Pollution Control Association is sponsoring a seminar in Pittsburgh, Pennsylvania on May 6 and 7, 1979, AND

WHEREAS, they request that all incoming chairmen of local Air Pollution Control Association Sections attend this meeting on matters pertaining to air pollution control, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer, as incoming chairman of the Air Pollution Control Association of the Niagara Frontier be and hereby is authorized to attend said meeting as a representative of the Town of Cheektowaga and the Niagara Frontier Air Pollution Control Association, and, BE IT FURTHER

RESOLVED, that all reasonable and necessary expenses be paid for by the Town of Cheektowaga in an amount not to exceed \$185.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, the Finger Lakes Building Officials Association will be sponsoring a "Building Officials School" to be held at the Hilton Inn in Rochester, New York, on April 3, 1979, and

WHEREAS, at said "Building Officials School" such items as electrical inspection and fire protection will be discussed, as well as a review of (SEQR) State Environmental Quality Review Act, NOW THEREFORE, BE IT

RESOLVED that Ronald Marten, Building and Plumbing Inspector for the Town of Cheektowaga, be and hereby is authorized to attend this one-day seminar to be held in Rochester, New York on April 3, 1979, at a cost not to exceed \$30.00, and BE IT FURTHER

RESOLVED that permission is hereby given to Ronald Marten to have the use of a Town automobile for travel to and from the seminar.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, the 1979 New York Library Association School Library Media Section Spring Conference will be held in Rochester, New York, on May 4th and 5th, 1979, and

WHEREAS, the five members of the Cheektowaga Library Board have requested permission to attend, NOW, THEREFORE, BE IT

RESOLVED that Eugene A. Rudzinski, Mrs. Victor Reinstein, Edward Szemraj, Bernice Snyder and Leon Surowiec, of the Cheektowaga Library Board, are hereby authorized to attend said Conference, and BE IT

FURTHER RESOLVED that the above shall be reimbursed for all necessary and reasonable expenses in connection with said Conference, at a total sum not to exceed \$650.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the Cheektowaga Youth Bureau Department does not have access to any previously established Town petty cash funds, AND

WHEREAS, a number of their programs require purchases of small items, NOW THEREFORE BE IT

RESOLVED that the Town Board approve the establishment of such a fund for the Youth Bureau in the amount of \$50.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 37 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 2, 1979 be and the same are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NOS.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	10036-10173		\$ 573,686.01
PART TOWN FUND	1126-1138		5,540.26
SPECIAL DIST. FUND	5709-5763		416,294.65
HIGHWAY FUND	4287, 4371-4404		206,902.16
CAPITAL FUND	181-185		363,399.34
SPECIAL ASSESSMENT FUND	14		3,066.65
TRUST AND AGENCY FUND	646-648		37,654.27
H.U.D.-C.D.B.G. FUND	138-141		31,065.49
DEBT SERVICE FUND	42-46		<u>529,100.00</u>
		TOTAL	<u>\$2,166,708.83</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 38 Motion by Supervisor Meyers, seconded by Councilman Swiatek

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

*See next four (4) pages for fund transfers.

TOWN OF CHESTNUT HILL, NEW YORK

BUDGET TRANSFER REQUEST

POLICE
Department

3/26/79

Date

GENERAL Fund

FROM			TO	
Account	Title	\$	Account	Title
90-480	CONTINGENT	\$2,300.00	A 3120.400	OFFICE AND POLICE SUPPLIES

Charles W. F. King
Signature

Explanation TRANSFER OF MONEY NEEDED TO PURCHASE A NEW COPYING MACHINE FOR THE TRAFFIC DIVISION.

TOWN BOARD AUTHORIZED AN INCREASE IN FEES TO OBTAIN COPIES OF VARIOUS REPORTS FROM THE POLICE DEPARTMENT. INCREASE IN FEES WILL COMPENSATE FOR THE COST OF THE COPIER.

BUDGET TRANSFER REQUEST

Justice
Department

3/29/79
Date

General Fund

Amount	FROM Title	\$	Account	TO Title
1110.400	Justices- Office Supplies	\$1,800.00	A.1110.220	Justices- Copy Machine

Henry J. [Signature]
Signature

ration TO LEASE A COPY MACHINE FOR TWO YEARS IT WOULD COST THE TOWN AN ADDITIONAL \$750.00
SO WE ARE GOING TO PURCHASE ONE OUTRIGHT.

TOWN OF CHELTON, NEW YORK

BUDGET TRANSFER REQUEST

Community Development
Department

4/2/79

Date

CDBG

Fund

Amount	FROM Title	\$	Account	TO Title
	Local Option (78-79)	\$6,280.40		Administration (78-79)

Kenneth J. Meyer
Signature

ation

TOWN OF CHEEKTOWAGA, NEW YORK

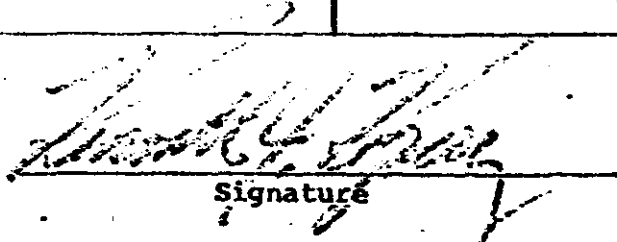
BUDGET TRANSFER REQUEST

YOUTH BUREAU
Department

MARCH 29, 1979
Date

GENERAL Fund

<u>Account No.</u>	<u>From Title</u>	<u>\$</u>	<u>To Account No.</u>	<u>Title</u>
7310.137	Clerk/steno	1,500.00	7310.400	Equipment
7310.467	Youth Service Projects	1,500.00	7310.400	Equipment


Signature

Explanation Equipment is needed for additional staff

Item No. 38 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 39 Building Permits.
Approved; received and filed.

V. GENERAL COMMUNICATIONS

Item No. 40 Dennis Gorski, Assemblyman - Acknowledging receipt of Town Board resolution dated 3/19/79: Request for adoption of legislation relating to a variety of insurance mechanisms.

Item referred to Honorable Members of the Town Board, John Rogowski-Town Attorney and Ernest Holfoth-Town Insurance Consultant; item received and filed.

Item No. 41 N.Y.S. Dept. of Transportation - Recommendation relative to traffic signalization study at Town Hall site on Union Road.

Item referred to Honorable Members of the Town Board, John Rogowski-Town Attorney, Theodore DeFedericis-Chief of Police, Captain Lis-Chktg. Police Dept. and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 42 Erie County Public Works Dept. - Signal Permit: Intersection of Cayuga Road & Cleveland Drive and Industrial Park Drive approach.

Item referred to Honorable Members of the Town Board, Theodore DeFedericis-Chief of Police, Captain Lis-Chktg. Police Dept. and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 43 Erie County Public Works Dept. - Correspondence relating to traffic investigation at intersection of French Rd. and Azalea.

Item referred to Honorable Members of the Town Board, Theodore DeFedericis-Chief of Police, Captain Lis-Chktg. Police Dept., Chktg. Traffic Safety Commission and John Rogowski-Town Attorney; item received and filed.

Item No. 44 C. Chubb, Community Service Rep., March of Dimes - Correspondence relating to March of Dimes Bike-A-Thon to be held on Sunday, May 6, 1979.

Item referred to Kenneth J. Meyers-Supervisor, Ed Leak-Recreation Director and Ken Kopacz-Youth Board Director; item received and filed.

Motion by Councilman Swiatek, seconded by Councilman Kaczmarek to waive the rules.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

VI. SUSPENSION OF RULES

Item No. 45 Date change for next regular Town Board meeting.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the date of the next regularly scheduled Town Board meeting which normally would have been held on Monday, April 16, 1979, be and hereby is changed to Wednesday, April 18, 1979 at 6:00 P.M. Eastern Standard Time.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 46 Authorization for Facility Director and Community Development Coordinator to travel to Albany re: Park Development and Grant Applications.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga was recently awarded a grant from the New York State Division of Parks and Recreation for the acquisition of land on Losson Road for the Losson Road Park Extension, and

WHEREAS, the Town of Cheektowaga is exploring the possibilities of submitting a grant application to the same agency for the development of the Losson Road Park Extension, and

WHEREAS, this application must be developed and submitted in a timely manner due to the late notice given to the Town regarding the award of the grant for land acquisition, NOW THEREFORE BE IT

RESOLVED that James Matecki, Facility Department Director and Jerome Gabryszak, Community Development Coordinator, being directly charged with responsibilities for park development and grant applications, be and hereby are authorized to travel to Albany, New York to confer with officials of the New York State Division of Parks & Recreation regarding the above mentioned matter, on Thursday, April 5, 1979, and BE IT FURTHER

RESOLVED that use of the private vehicle of one of the above mentioned individuals is hereby authorized for this purpose, AND BE IT FURTHER

RESOLVED that the above mentioned individuals be compensated for all reasonable and necessary expenses as follows:

Mileage Reimbursement - 15¢ per mile

Meals - not to exceed \$21 each

Lodging - not to exceed \$32.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 47 Motion by Councilman Kaczmarek, seconded by Councilman Swiatek to adjourn the meeting until Wednesday, April 18, 1979 at 6:00 o'clock P.M., Eastern Standard Time.

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 18th day of April, 1979 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst

ABSENT: Councilman Frank E. Swiatek
Councilman Donald J. Wegner

Also present were: Richard M. Moleski, Town Clerk; Robert Miller, Deputy Town Attorney; Chief of Police DeFedericis; Ed Leak, Recreation Director; Julia Reinstein, Town Historian; Chester Bryan, Town Engineer; Dr. Louis Vendetti, Town Health Officer.

I. BIDS

Item No. 2 Engineering - corrugated metal pipe and reinforced concrete pipe for 1979
Referred to Chester Bryan, Town Engineer.

Item No. 3 Facility - One (1) 3/4 ton, 4-wheel drive pick-up truck/snow plow
Referred to Jim Matecki-Facility Department Director.

II. PUBLIC HEARINGS

Item No. 4 This being the time and place advertised for a public hearing for the purpose of considering and hearing all persons interested in the petition of GREYHOUND LINES, INC. for consent to operate a bus route in and along the following highways in 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.

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Kensington Expressway (N.Y.T. 33)	City of Buffalo-Town of Cheektowaga Line	Genesee Street
Genesee Street	Kensington Expressway	Airport Access Road
Airport Access Road	Genesee Street	West Airport Terminal
Airport Road	West Airport Terminal	East Airport Terminal
Airport Access Road	East Airport Terminal	Genesee Street
Genesee Street	Airport Access Road	Transit Road (N.Y. Route 78)
Transit Road	Genesee Street	Town of Cheektowaga - Town of Amherst Line

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.

III. RESOLUTIONS

Item No. 5 Call for public hearing to amend Traffic Ordinance - Highview Road
This item was withdrawn.

Item No. 6 Motion by Councilman Burst, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and is hereby authorized and directed to forward a TE 10 form to the State Department of Transportation requesting said Department of Transportation to include that portion of Como Park Boulevard between Transit Road, Route U.S. 20 and a point 0.2+ mile east of Indian Road in the Town wide 35 mile per hour speed.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 7 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that the County of Erie be and is hereby requested to investigate the need for a flashing red signal or stop signs on all intersecting roads of the intersection of Como Park Boulevard and Indian Road, and BE IT FURTHER

RESOLVED that the Town Clerk forward a certified copy of this resolution to the office of the Deputy Commissioner of Highways of the County of Erie to the attention of George J. Triepel, Jr., Traffic Engineer.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 8 Motion by Councilman Dux, seconded by Supervisor Meyers

BE IT RESOLVED that the County of Erie be and is hereby requested to issue a signal permit change to the Town of Cheektowaga authorizing a change in the traffic control signal located at Century Road and Cleveland Drive to the four-way flashing red signal and to increase the lens size to 12 inches, and BE IT FURTHER

RESOLVED that the Town Clerk forward a certified copy of this resolution to the office of the Deputy Commissioner of Highways of the County of Erie to the attention of George J. Triepel, Jr., Traffic Engineer.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 9 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga has an annual Paint-Up, Clean-Up, and Fix-Up Drive, NOW, THEREFORE, BE IT

RESOLVED that this drive be held beginning May 7th and ending May 19th, 1979, and BE IT FURTHER

RESOLVED that the Sanitation Department be and they are hereby authorized to advertise in the CHEEKTOWAGA TIMES, the EXAMINER and the PENNYSAYER, for a two (2) week period, informing everyone to cooperate.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilman Swiatek and Wegner

Item No. 10 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board duly held a public hearing on the 2nd day of April, 1979 to consider the advisability of adoption of proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, 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:

That this Town Board determine that it is in the public interest to adopt the following proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
FAWN COURT	Intersection of south street line of Rowley Road and being the north lines of sublots 1 & 27, MC 2383, thence southerly, southeasterly and northeasterly on both sides of Fawn Court	the cul de sac and including sublots 14 through 19, Map Cover 2382

TYPE OF STREET LIGHTING INSTALLATION

Install five (5) - 7000 lumen post top units underground fee - municipally owned standards (14ft.)

Estimated cost per year for two years - \$.12 per front. foot
(Total frontage - 1,513.00)

and BE IT FURTHER

RESOLVED that this Town Board does hereby decide at such public hearing and upon the evidence given thereat,

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought, and BE IT FURTHER

RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, and BE IT FURTHER

RESOLVED that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of Erie County, New York, within ten (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 11 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 18th day of April, 1979.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
Betty Lou Lane (Map Cover 2159 & 2069)	Intersection of north street line of North Creek Drive and being the south lines of sublots 1 & 25, Map Cover 2159 & 2069, thence northerly on both sides of Betty Lou Dr.	Intersection of south line of Joseph Dr. and being the north lines of sublots 121 & 122, Map Cover 2159 & 2069.

TYPE OF STREET LIGHTING INSTALLATION

Install six (6) - 7000 lumen post top units.

Estimated cost per year for two years - \$.91 per front foot
(Total frontage - 2,204.8 feet)

and

WHEREAS, Andrew H. Schwenk and Casimir A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by the owners of more than one-half of the entire frontage or bounds on both sides of said highway to be improved as aforesaid, and

WHEREAS, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 7th day of May, 1979 at 7:00 o'clock P.M., Eastern Standard Time, to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in a town newspaper having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

AFFIDAVIT - NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE } SS

I, RICHARD M. MOLESKI, being duly sworn, depose and say:

That I am now and at all times hereinafter mentioned have been the Town Clerk of the Town of Cheektowaga, County of Erie and State of New York.

That on the 27th day of April 1979, acting pursuant to an order and resolution adopted by the Town Board of said Town on April 18th, 1979, I posted a certified copy of said order and resolution relating to street lighting on Betty Lou Drive on the signboard of the Town maintained pursuant to subdivision six of section thirty of the Town Law of New York.

That said copy so posted was a true and complete copy of the attached copy of said order and certificate published in the EXAMINER
~~NEWSPAPER~~ on April 26th, 1979.

Richard M. Moleski
RICHARD M. MOLESKI,
Town Clerk.

Sworn to before me this

2nd day of May, 1979

Walter L. Danaher - Commission Expires 3/30/81
Notary Public - County of Erie, State of New York

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 26 day of April 1979 and ending on the _____ day of _____, 19____

Signed ^{nc} Mr. J. Charters
Sworn to before me, on the 26
day of April, 1979

Patricia H. Young
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981.

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 Road, in said Town on the 19th day of April, 1979 at 6:00 o'clock p.m. Eastern Standard Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilman James R. Burt
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman Thomas M. Johnson

ABSENT:

Councilman Frank E. Swiatek
Councilman Donald J. Wagner

Item No. 11 Councilman Johnson presented the following resolution and moved its adoption:

WHEREAS, a petition for the improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, was presented to this Town Board on the 18th day of April, 1979

PUBLIC HIGHWAY TO BE IMPROVED
Name of Highway - Betty Lee Drive (Map Cover 2150 & 2000) - From intersection of north street line of Maria Creek Drive and being the south line of exhibits 1 & 25, Map Cover 2150 & 2000, thence north by or to the north line of Betty Lee Dr. to intersection of south line of Joseph Dr. and being the north line of exhibits 121 & 122, Map Cover 2150 & 2000.

TYPE OF STREET LIGHTING INSTALLATION

Install six (6) - 7000 lumen post top units.

Estimated cost per year for two years - \$2.01 per lineal foot. (Total footage - 2,204.8 feet)

Witnesses: Andrew H. Schwank and Cesar A. Kozminski, Assessors of said Town of Cheektowaga, have certified in writing to this Board that the above petition is duly signed and acknowledged in the same manner as a deed to be recorded by

the clerk of said Board, and such minutes be duly recorded in the Minute Book of said Board.

ground as a sidewalk, and hereinafter, the said highway to be improved as aforesaid is situated entirely in said Town outside of any incorporated village or city therein.

IT IS HEREBY ORDERED that the Town Board of the Town of Cheektowaga meet at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga, on the 7th day of May, 1979, at 7:00 o'clock P.M., to hear all persons interested in the subject thereof concerning the same, and

IT IS FURTHER ORDERED that a copy of this order, certified by the Town Clerk, be published at least once in a town newspaper having a general circulation in the Town, not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing, and shall also be posted on the signboard of the Town maintained pursuant to Subdivision six of Section thirty of the Town Law of New York not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing.

Seconded by Councilman Dux and duly put to a vote which resulted as follows:

Supervisor Meyers Voting AYE
Councilman Burt Voting AYE
Councilman Dux Voting AYE
Councilman Johnson Voting AYE
Councilman Kaczmarek Voting AYE
Councilman Swiatek Voting ABSENT
Councilman Wagner Voting ABSENT
AYES: 5 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 April 19th, 1979, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 19th day of April, 1979.

RICHARD M. MOLESKI
Town Clerk

Item No. 12 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Sewer Maintenance Department is in need of two (2) new 3/4 ton pick-up trucks to replace two (2) existing pick-up trucks now used by the maintenance crews, and

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

RESOLVED that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said vehicles, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 7th day of May, 1979 at 7:00 P.M., Daylight Savings Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting called for that purpose.

* * * * *

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 7, 1979 at 7:00 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Roads for two (2) 3/4 ton pick-up trucks.

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: April 18, 1979

* * * * *

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek, and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

AFFIDAVIT - NEXT PAGE

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

Gladys M. Hechler, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication... *April 26, 1979* ;
last publication... *April 26, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Hechler.....

Sworn to before me this *27th*

day of *April*, 19 *79*

Naidine C. Williams.....

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 *81*

an considered by the Board
of the Town of Cheektowaga on
May 7, 1979 at 7:00 PM, Eastern
Daylight Savings Time, at the
Town Hall, corner of Broadway
and Union Roads for two (2) 3/4 ton
pick-up trucks.

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: April 18, 1979

Item No. 13 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Cheektowaga Facility Department is in need of one (1) multi-use tractor, and

WHEREAS, the Cheektowaga Town Board has appropriated funds in the 1979 Budget for said purchase, and

WHEREAS, Councilman James Burst, Chairman of the Equipment Management and Procurement Committee has appraised the Facility Department's tractor fleet, conditions, anticipated work load and anticipated twelve month usage, and

WHEREAS, the Ford Motor Company, Ford Tractor Operations, 1 Mustang Drive, Cohoes, New York 12047, has been awarded the contract by the State of New York, Office of General Services, Standards and Purchase, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board authorize James J. Matecki, Director of the Facility Department, to purchase one (1) Ford Tractor, Model 540, under terms set forth by the State of New York.

Upon Roll Call.....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, bids were duly received on April 2, 1979 as a result of advertisement by the Town Clerk for the need of leasing and servicing Portable Toilets for the year, 1979, and bids were referred to the Facility Department for analysis, tabulation and report, and said report and tabulation is attached hereto and contained in a letter to the Town Board dated April 18, 1979, NOW, THEREFORE, BE IT

RESOLVED that the contract for leasing and servicing Portable Toilets for the year, 1979, at per said price and as recommended by the Facility Purchasing Department to awarded to the lowest bidder who is:

Johnny-On-The-Spot, Inc.
P.O. Box 205
Model City, New York 14107

* See next page for letter



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

RAYMOND M. MATOT
SUPERINTENDENT
BUILDINGS & GROUNDS

TOWN HALL, BROADWAY AND UNION ROAD
CHEEKTOWAGA, NEW YORK 14227
716-683-2200

April 10, 1979

Cheektowaga Town Board
Town Hall
Cheektowaga, New York

Honorable Town Board Members:

I wish to request that the bid for the servicing and leasing of Portable Toilets for the year, 1979, be awarded to Johnny-On-The-Spot, Inc., P.O. Box 205, Model City, New York, 14107. Their bid, the only one received, was as follows:

ITEM I	-	Rehm Park	-	\$6.00 a day - 30 days minimum
ITEM II	-	Losson Park	-	\$25.00 a day - 30 days minimum
ITEM III	-	Town Hall	-	\$6.00 a day - 30 days minimum
ITEM IV	-	Special Events	-	\$2,500.00

RECEIVED

APR 12 1979

Richard M. Moleski, Town Clerk

Respectfully,


Raymond M. Matot
Superintendent of Buildings

RMM:rl
Attach.
cc: J. Matecki
file

Item No. 14 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 15 Highway - Award of bid for road materials
This item was withdrawn.

Item No. 16 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Mrs. Starr Carroll residing at Cheektowaga, New York 14225, has been hired under the Comprehensive Employment and Training Act of 1973 as amended in 1978, Title II, as a Clerk in the Cheektowaga Judge's Office, NOW, THEREFORE, BE IT

RESOLVED that Mrs. Starr Carroll be transferred to the Cheektowaga Recreation Department, at her present title and salary, retroactive to April 11, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, there currently exists a vacancy for the position of "Clerk-Typist" in the Cheektowaga Police Department, and

WHEREAS, said vacancy was posted in accordance with the bargaining agreement between the Town of Cheektowaga and Local 1026, AFL-CIO, NOW, THEREFORE, BE IT

RESOLVED that Jeanne Morand, presently a Clerk-Typist in the Office of the Assessor, be and hereby is transferred to the vacancy of Clerk-Typist in the Cheektowaga Police Department; said transfer effective April 23, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the annual Town and Village Court Clerks Seminar is scheduled for Wednesday, April 25, 1979 in Henrietta, New York, and

WHEREAS, the Justice Court has requested permission for one of their court clerks to attend this one-day seminar, NOW, THEREFORE, BE IT

RESOLVED that Sandra Stapleton, Court Clerk in the Justice Court, be and hereby is authorized to attend this one day seminar on April 25, 1979, in Henrietta, New York, and BE IT FURTHER

RESOLVED that Sandra Stapleton shall be reimbursed for all necessary fees and expenses in connection with said seminar at a sum not to exceed \$50.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 19 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, Harry L. Bollman, Police Officer in the Cheektowaga Police Department, has received orders to report for military training on May 4, 5, and 6, 1979, and

WHEREAS, all employees eligible for benefits under Sections 242 and 243 of the Military Law of the State of New York shall be guaranteed such benefits in full accordance with the law, NOW, THEREFORE, BE IT

Item No. 19 cont'd

RESOLVED that the Cheektowaga Town Board approves said Military Service Leave for Officer Bollman for the period May 4, 5, and 6, 1979, at Fort Drum, Watertown, New York.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

RESOLVED that the following individuals be and hereby are authorized to attend the New York State Solid Waste Association Seminar, held in Olean, New York May 14th and 15th, and that their reasonable and proper travel expenses be reimbursed by the Town: Not to exceed \$175.00 per person:

Ronald C. Zoeller, Sanitation Foreman

Frank Dux, Councilman

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 21 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that the following individuals be hired as Seasonal Laborers in the Facility Department of the Town of Cheektowaga for the 1979 Season, at the rate of \$2.65 per hour:

Gary Sroka
Gregory Borgosz
Mark O'Neill
David C. Kosobucki
Mark Maleck
Kenneth Karl
Joseph T. Gasiorowski
John Klosko
Dale Zolenka

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

BE IT RESOLVED that the fund transfers per the attached sheets are hereby approved and made a part hereof, and BE IT FURTHER

RESOLVED that the fund transfer of \$35,000.00 from account No. A.1990.480 to A.9550.400 made at the February 5th Town Board meeting is hereby rescinded.

* See next five (5) pages for transfers

TOWN OF CHEEKTOWAGA, NEW YORK

PROPOSED BUDGET TRANSFERS

General Fund

Estimated Revenues

Interfund Transfer - Transfer from Capital Fund \$75,490.77

Appropriations

1 Transfer to Capital Fund - Ice Rink/Recreation Center \$42,641.63

1 Transfer to Capital Fund - Town Hall Renovation Stage II 32,849.14

\$75,490.77

Highway Fund

<u>From</u>	<u>Amount</u>	<u>To</u>
Fund Balance DE909 Improvement Program	\$135,000.00	Fund Balance DM909 Machinery
Fund Balance DE909 Improvement Program	80,000.00	Fund Balance DS909 Snow
Fund Balance DR909 Repair	100,000.00	Fund Balance DS909 Snow

Federal Revenue Fund

<u>From</u>	<u>Amount</u>	<u>To</u>
CF909 Fund Balance	\$ 7,500.00	Transfer to Capital Fund CF9550.401 - Highway Garage Extension
CF909 Fund Balance	4,000.00	Transfer to Capital Fund CF9550.402 - Storm Drainage Dist. #7 x 4
CF909 Fund Balance	3,950.00	Transfer to Capital Fund CF9550.403 - Oehman/Rosary (IB)
CF909 Fund Balance	600.00	Transfer to Capital Fund CF9550.404 - St. Felix Drainage II
CF909 Fund Balance	20.00	Transfer to Capital Fund CF9550.405 - Princeton, Sandra Rogers
CF909 Fund Balance	26,000.00	Transfer to Capital Fund CF9550.406 - Beach Road Drainage Study

Special Districts Fund

<u>From</u>	<u>Amount</u>	<u>To</u>
S909 Fund Balance SS#5	\$130,000.00	Transfer to Capital Fund S8125.901 - Alexander/Victoria Syphon
S909 Fund Balance SS #5	1,758.16	Transfer to Capital Fund S8125.902 - George Urban Blvd. Improvement Project
S909 Fund Balance Storm District #2	10,000.00	Transfer to Capital Fund S8142.901 - Pinehill Drainage Study

1 This transfer allows rescinding prior transfer from General Fund Contingency of 2-5-79.

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

DOG WARDEN
Department

4/5/79
Date

GENERAL Fund

FROM			TO	
Account	Title	\$	Account	Title
A.1990.480	Contingency	\$12,000.00	A.3510.210	DOG WARDEN-INCINERATOR

Kenneth J. Mason
Signature

Explanation MONEY WAS TRANSFERRED IN 1978 TO COVER THE PURCHASE OF THIS ITEM. HOWEVER, THE
UNUSED FUNDS WERE NOT ENCUMBERED AT 12/31/78. THE BILL WAS RECEIVED IN 1979.

TOWN OF CHEEKTOHAGA, NEW YORK

BUDGET TRANSFER REQUEST

Youth Bureau
Department

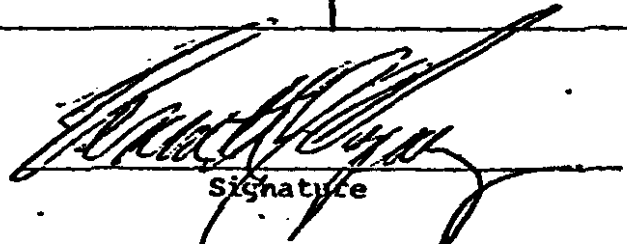
April 5, 1979
Date

General Fund

From

To

<u>Account No.</u>	<u>Title</u>	<u>\$</u>	<u>Account No.</u>	<u>Title</u>
4599	Appropriated Fund Balance	\$57.49	A.7310.493	Catchment IV Contract First Offender


Signature

Explanation: An amount of \$2,808.43 was paid on April 2, 1979, check number 10108, in regard to the contract with Corporation IV. Although this amount was taken from our 1979 budget, \$980.58 of this voucher's amount was transferred back into our 1979 account from the 1978 budget. This was necessary because the \$980.58 alluded to periods covered in 1978 and also the money taken out of the 1979 budget would need to be replaced in order for us to honor our 1979 contract and budget with Corporation IV. It has now come to our attention that \$57.49 more should have been transferred back into our 1979 budget. This was not requested previously due to an error in checking the Corporation IV claim that accompanied the voucher.

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Youth Bureau
Department

3/15/79

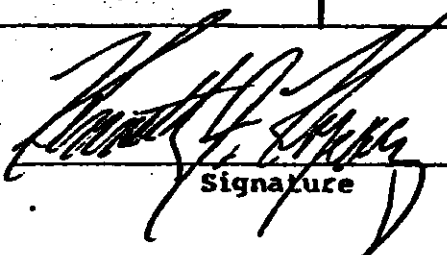
Date

General Fund

From

To

<u>Account No.</u>	<u>Title</u>	<u>\$</u>	<u>Account No.</u>	<u>Title</u>
599	<i>appropriated Lst Balance</i>	\$1,462.19	A.7310.493	Catchment IV Contract - 1st Offender


Signature

Explanation In order to reimburse Corporation IV \$1,492.19, an outstanding amount which pertains to the 1978 budget and contract, we are requesting that a budget transfer be made from monies regarding this program, that were not claimed in 1978, to 1979 line-item A.7310.493. Since this amount will presently be taken out of 1979 line-item A.7310.493, we will not be able to cover the contracted program's 1979 budgeted amounts unless the \$1,492.19 is returned by transfer from last year's monies.

BUDGET TRANSFER REQUEST

Traffic Safety Commission
Department

3-21-79
Date

General Fund

FROM	TO
Account	Account
Title	Title
3610.406	A.3610.400
Memberships	Office Supplies

Anthony W. Oswell
Signature

ation We have completed our Memberships for the year. Therefore I have requested transfer from membership to Office Supplies

Item No. 22 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 23 Motion by Supervisor Meyers, seconded by Councilman Dux

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to April 18, 1979 be and the same are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NOS.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	10174-10297		\$294,279.64
SPECIAL DISTRICTS FUND	5764-5823		124,288.12
HIGHWAY FUND	4370-4440		55,079.87
PART TOWN FUND	1139-1147		3,553.23
CAPITAL	186-192		61,457.97
FEDERAL REVENUE SHARING	94-102		924.31
TRUST & AGENCIES FUND	649		20,441.63
H.U.D. - C.D.B.G. FUND	142-149		10,232.01
H.U.D. - N.P.P. FUND	104		217.00
			<u>\$570,473.78</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Health report for March
Received and Filed.

Item No. 25 Bernard Arendt, Recreation Department - letter requesting additional
sick leave
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 26 N.Y.S. Dept. of Trans. - Notice of Order and Signal Operations Specs.
Copies were sent to: Town Board; Chief of Police DeFedericis; Captain Lis; Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 27 N.Y.S. Dept. of Trans. - Notice of Order
Copies were sent to: Town Board; Chief of Police DeFedericis; Captain Lis; Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 28 N.Y.S. Dept. of Trans. - letter regarding bus stop on Genesee and Alpine
Copies were sent to: Town Board; Chief of Police DeFedericis; Captain Lis; Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 29 Erie County Water Authority - letter regarding Main Extension Agreement
Copies were sent to: Town Board; Chester Bryan, Town Engineer; John V. Rogowski, Town Attorney.
This item was Received and Filed.

Item No. 30 Niagara Mohawk - Proposed 1980 rates
Copies were sent to: Town Board.
This item was Received and Filed.

Item No. 31 Notice of Claim - Robert Adams vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; John V. Rogowski, Town Attorney; Town Insurance.
This item was Received and Filed.

Item No. 32 Letter from Norbert Liebl, regarding water and sewer problems
Copies were sent to: Town Board; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; John Tabaszynski, Sewer Maintenance Department.
This item was Received and Filed.

Motion by Councilman Dux, seconded by Councilman Johnson to suspend the rules to include the following item.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

VI. SUSPENSION OF RULES

Item No. 33 Retain services of H. Szymanski to obtain easement on Beryl Drive

Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town is presently replacing a number of bridges and box culverts within the Town, and

WHEREAS, a permanent easement is necessary for the removal and replacement of an existing box culvert on Beryl Drive, NOW, THEREFORE, BE IT

RESOLVED that Henry Szymanski, with offices located at 40 Academy Road, Buffalo, New York 14211, be and is hereby appointed to obtain said easement for a fee not to exceed \$75.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Kaczmarek and Burst
NAYES: 0
ABSENT: Councilmen Swiatek and Wegner

Item No. 34 Motion by Councilman Kaczmarek, seconded by Councilman Dux
to adjourn the meeting to April 23, 1979 at 1:00 P.M.

RICHARD M. MOLESKI
Town Clerk

B I D S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 10 - May 7, 1979</u>	
2	Two (2) 3/4 ton pick-up trucks for use by the Sewer Maintenance Department.	1

P U B L I C H E A R I N G S

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 10 - May 7, 1979</u>	
3	Street Lighting - Betty Lou Drive.	1
	<u>Meeting No. 11 - May 21, 1979</u>	
2	Amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping" (HIGHVIEW ROAD).	1

* * * * *
R E S O L U T I O N S
* * * * *

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 9 - April 23, 1979</u>		
2	Dissolution of Tiorunda Fire Protection District No. 2.	1-2
3	Extension of Water (Hydrant) District of Cleveland Hill Fire District No. 6.	3-5
4	Extension of Cleveland Hill Fire District No. 6.	6-7
5	Engineering - Approval of change orders re: Northeast Interceptor Project of Sewer Dist. # 5 Water Pollution Control Program (Ext. of contract completion date).	8-9
6	Engineering - Approval of change order re: Northeast Interceptor Project of Sewer Dist. # 5 Water Pollution Control Program (addition to Contract No. 1).	9-10
7	Engineering - Award of bid for Stage I, Phase A construction -- Cedargrove Heights Neighborhood Improvement Program.	10-11
8	Engineering - Award of bid for corrugated metal pipe and reinforced concrete for 1979.	11-12
9	Facility Dept. - Award of bid for one (1) 3/4 ton, 4-wheel drive pick-up truck with snow plow.	12
10	Retention of consultant-appraiser relative to the extension of Losson Road Park Site.	12
11	Authorization for Sole Assessor and employees to attend Appraisal Course in Hamburg, New York.	12
12	Retention of Percival G. Bixby & Co. to prepare fiscal report re: Business and Industrial Development as a result of the creation of Sanitary Sewer Dist. #8.	13
13	Warrant List.	13

Meeting No. 10 - May 7, 1979

4	Date change for third regular Town Board meeting in May.	2
5	Decision on Rezoning - 4720 Union Road.	2
6	Decision on Rezoning - rear of 2989 Genesee St., subplot 101 and part of subplot 102.	2
7	Decision on Rezoning - 1385 French Road.	3
8	Decision regarding billboard signs - Dingens St. & Union Rd.	4
9	Call for public hearing to amend the Traffic Ordinance - Art. X: "Parking, Standing, Stopping" (No Parking this side: HIGHVIEW RD.).	4-5
10	Request Erie County to investigate establishing school speed limit on William St.	6
11	Local consent for Greyhound Lines, Inc. to operate bus route in the Town of Cheektowaga.	6
12	Authorization for Supervisor to sign release forms for settlement offer in property damage suit.	7
13	Authorization for Supervisor to sign Offers to Purchase in various condemnation proceedings.	7
14	Authorization for Supervisor to sign Agreement of Adjustment for the Real Estate Division of the N.Y.S.-D.O.T.	7-8
15	Tn. Clerk's Office - Call for P.H. for rezoning of property at 575 French Road (from R-Residential to C-Retail Business Dist.).	8
16	Highway Dept. - Award of bids for sweeper brooms & push brooms.	9-10
17	Engineering - Tn. Board petitioning N.Y.S.-D.O.T. re: Advance scheduling of remainder of the Broadway Improvement Project.	10

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 10 - May 7, 1979 Cont'd.</u>		
18	Engineering - Auth. for Nussbaumer & Clarke, Inc. to prepare plans and specs for construction of storm drainage system on Walden Ave.	10
19	Engineering - Approval of change order relative to Autumnwood Drainage Project, Part I (addition to contract).	10-12
20	Recreation Dept. - Auth. for Gymnastics Unlimited, Inc. to utilize facilities at Chktg. Recreation Center on May 12th & May 13th, 1979.	12-13
21	Appointment of Detective in the Chktg. Police Dept.	13
22	Chktg. Youth Bureau - Hiring of part-time help.	13
23	Facilities Dept. & Sewer Maintenance Dept. - Seasonal Laborers.	13
24	Sanitation Dept. - Hiring of seasonal laborers, as replacements for vacations.	13
25	Reappointment to Assessment Board of review; appointment to same.	13-14
26	Leave of absence for employee in Facilities Dept.	14
27	Military leave of absence for Executive Director of Youth Bureau.	14
28	Auth. for two Grade II Operators, Treatment Plant #5, to attend Lab. Testing & Analysis Courses at State University College at Bflo.	14
29	Transfer of Funds.	15-16
30	Warrant List.	16
<u>Meeting No. 11 - May 21, 1979</u>		
3	Decision on Traffic Ordinance - Art. X: "Parking, Standing, Stopping" (HIGHVIEW ROAD).	2-3
4	Decision on Rezoning - 2989 Genesee St.	4
5	Decision on Street Lighting - Betty Lou Drive.	4
6	Call for P.H. for adoption of Landfill Ordinance.	5
7	Call for P.H. for adoption of Mass Gatherings Ordinance.	5-6
8	Authorization for Supervisor to sign Facade Grant Agreement.	6a
9	Auth. for Supervisor to execute letter re: Agreement with Niagara Frontier Services.	6a-7
10	Set of Rules and Regulations for Town Parks.	7
11	Notice to Bidders for Scajaquada Creek Bridges and Culverts.	8-9
12	Award of bid for two (2) pick-up trucks for Sewer Maintenance Dept.	10-11
13	Auth. for Michael Wycoki to remove topsoil.	11
14	Change Order for Northeast Interceptor Project.	11-12
15	Permission for Perkins to construct facility on 3637 Union Road using holding tank system.	12
16	Summer help in Various Departments.	12-15
17	Appointment of Seasonal Law Clerks (2) in Tn. Attorney's Office.	15
18	Rescind resolution of 5/7/79 re: Sick leave for J. Nowicki.	15
19	Highway - Extension of sick leave for W. Borowiak, Motor Equipment A-Operator.	16
20	Auth. for two (2) Youth Bureau members to attend training sessions.	16
21	Auth. for Police Officer to attend conference.	16
22	Auth. for two (2) Police Officers to attend DEA Law Enforcement training school.	17
23	Clean-up of property at corner of Slate Dr. & French Road.	17
24	Permission for N.Y.S. Electric & Gas to remove and install light in Kelly Drive Park.	17
25	Call for P.H. for rezoning at 50-54 Northcrest.	17

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
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26	Transfer of funds.	18
27	Warrant list.	18
<u>Meeting No. 12 - May 29, 1979</u>		
2	Authorization for consolidation of polling places in Town for Registration Days only.	1-2
3	Proposed salary increase for Election Inspectors.	2
4	Request Erie County Dept. of Public Works to conduct traffic study for signal at Towers Blvd. and French Rds.	2-3
5	Notice to Bidders for signs, sign posts and brackets.	3
6	Highway Dept. - Award of bid for cement.	4-5
7	Acceptance of Martinique Heights Subdivision.	5
8	Permission for Mr. & Mrs. Sam Aquisto to construct single home on Meadowlawn Road using a holding tank system.	5
9	Summer help in Town Clerk's Office.	5
10	Summer help in various departments.	5-11
11	Authorization for Town Engineer to attend meeting.	11

DEPARTMENTAL COMMUNICATIONS

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14	Building Permits.	14
	<u>Meeting No. 11 - May 21, 1979</u>	
28	Health report for April, 1979.	18
29	Minutes from Library Board.	18
	<u>Meeting No. 12 - May 29, 1979</u>	
12	Building Permits.	11
13	Notice of Claim - Matthew Surowiecki vs. Town of Cheektowaga.	11

GENERAL COMMUNICATIONS

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15	N.Y.S. Dept. of Transportation - (4) Notices of Order correcting descriptions of intersectional controls of S. Creek Dr., S. Creek Plaza Drives and Zoerb Ave. at their intersection with Union Rd.	14
16	N.Y.S. Dept. of Transportation - (2) Notices of Order: Repeal yield sign control at Goering Ave. & Union Rd.; Establish stop sign control at Goering Ave. & Union Rd.	14
17	N.Y.S. Dept. of Transportation - Correspondence relative to relocation of bus stop on Genesee St. and Alpine Pl.	14
18	Notice of Claim - Louis R. Marciniak vs. Town of Cheektowaga.	14
19	Edward J. Szarpa, - Correspondence relative to repair of sidewalk.	14
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31	Summons & Complaint - John N. Michalik vs. Town of Cheektowaga.	16
32	Notice of Claim - Neal R. Halas vs. Town of Cheektowaga.	16
33	Notice of Claim - John W. Ferry vs. Town of Cheektowaga.	16
34	N.Y.S. Dept. of Transportation - Notice of Order establishing a stopping prohibition at bus stop on Genesee St. & Alpine Pl.	17
35	N.Y.S. Dept. of Transportation - Correspondence re: Speed limit on Como Park Blvd.	17
36	N.Y.S.-D.O.T., Real Estate Division - Correspondence re: Acquisition of property from Town of Chktg. for S.H. Project 9381-Harlem Road (refer to Item No. 14).	17
37	N.Y.S. Dept. of Transportation - Notice of public hearing to be held 6/5/79 through 6/7/79 re: Petition of Niagara Scenic Bus Lines, Inc. for extension of certificate of public convenience.	17

GENERAL COMMUNICATIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 10 - May 7, 1979 Cont'd.</u>		
38	N.Y.S. Thruway Authority - Correspondence re: Rossler Avenue Bridge.	17
39	P.M. Dwyer, representing Marywood Homeowners Ass'n. - Request to speak at Town Board meeting re: Newco Landfill on Broadway & Indian Roads.	17
<u>Meeting No. 11 - May 21, 1979</u>		
30	N.Y.S. Dept. of Transportation - Notice of Order for Maryvale Dr.	18
31	N.Y.S. Dept. of Transportation - Letter re: Bus stop on Alpine & Genesee St.	18-19
32	Erie County Dept. of Public Works - Letter re: Speed limit on William St.	19
33	Erie County Commissioner of Finance - Statement of all money paid to cities, towns and villages in Erie County in 1978.	19
34	Erie County Dept. of Health - Notification of public hearing on proposed changes to Erie County Sanitary Code.	19
35	Letter from John R. Dunne, 6th Dist. Chairman, Committee on insurance regarding proposed legislation to allow localities to join together in self-insurance pools.	19
36	Letter from J. Schultz, Depew Village Attorney regarding introduction of Local Law regarding Game of Chance Law.	19
37	Letter from resident of LeHavre Dr. regarding speed on said street.	19
38	Claim - Carol Sikorski vs. Town of Cheektowaga.	19
39	Stanley Stachewicz, President of Walden Dist. Taxpayer's Ass'n. - Wishes to speak regarding Town Park Ordinance.	19
<u>Meeting No. 12 - May 29, 1979</u>		
14	Dale Volker, Senator - Letter regarding advance scheduling of Broadway Improvement Project.	11
15	Dennis Gorski, Assemblyman - Letter regarding Broadway Improvement Program.	12
16	N.Y.S. Dept. of Transportation - Letter advising of relocation of bus stop on Alpine & Genesee St.	12
17	Erie County Dept. of Transportation - Letter regarding school speed zone on William St.	12
18	Copy of letter from R. Thill, Lancaster Town Clerk to J. Schultz, Village Attorney regarding local proposition on games of chance.	12
19	Letter from Tallamy, Van Kuren, Gertis & Thielman (Engineers, Surveyors, Planners) regarding Eiffel North Subdivision.	12

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. 9 - April 23, 1979</u>		
20	Highway Dept. - Award of bids for road materials.	14-16
21a	Hiring of part-time Clerk-Typist for various Town Hall Depts.	16
21b	Hiring of Seasonal Laborer in Facilities Dept.	16
<u>Meeting No. 10 - May 7, 1979</u>		
40	Town Clerk's Office - Hiring of part-time, summer help.	17-18
41	Resolution re: Payments in lieu of taxes for special and real services rendered to Greater Bflo. International Airport.	18

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 23rd day of April, 1979 at 1:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman James R. Burst

ABSENT: Councilman George Kaczmarek
Councilman Donald J. Wegner

Also present were: Mary F. Holtz, 1st Deputy Town Clerk; Robert Miller, Deputy Town Attorney; Theodore DeFedericis, Chief of Police; Alfred Wnek, Highway Superintendent; Chester L. Bryan, Town Engineer; Ronald Marten, Building and Plumbing Inspector; Andrew Schwenk, Sole Assessor; Ron Zoeller, Sanitation Department Foreman; James Matecki, Facility Department Director; Alfred Zalenski, Chief Sewage Treatment Plant Operator; Dr. Victor Reinstein; Mrs. Julia Reinstein, Town Historian.

I. RESOLUTIONS

Item No. 2 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, this Town Board has undertaken proceedings for the extension of Cleveland Hill Fire District No. 6 such that all of the territory presently located within Tiorunda Fire Protection District No. 2 shall be included in the extension of said Fire District, and to effectuate such extension of the Fire District, it is necessary that proceedings for the dissolution of the Tiorunda Fire Protection District No. 2 be undertaken, and

WHEREAS, the Town Board on March 19, 1979 duly adopted a resolution providing that the Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town on the 2nd day of April, 1979 at 7:00 o'clock P.M., Eastern Standard Time and hold a public hearing for the purpose of considering the matter of dissolution of Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga, at which all persons interested in the subject thereof might be heard concerning the same, and the Town Board did meet at such time and place and held such a hearing and heard all persons interested in the subject thereof, and

WHEREAS, after holding such hearing the evidence offered at such public hearing requires that the Town Board make the determinations hereinafter set forth. NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Cheektowaga, Erie County, New York, as follows:

(1) That Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga, described as follows:

*See next two pages for description of Tiorunda Fire Protection District No. 2.

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a

course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetary, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82') feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48') feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00') feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54') feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21') feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00') feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00') feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00') feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19') feet to a point of beginning.

Item No. 2 Cont'd.

be dissolved, it being in the public interest to do so.

(2) That the dissolution of the said Tiorunda Fire Protection District No. 2 shall become effective at the same time as shall the extension of Cleveland Hill Fire District No. 6 of the Town of Cheektowaga shall become effective and which Fire District Extension shall result in all of the territory located within the Tiorunda Fire Protection District No. 2 to be included in the extension of the Fire District.

(3) This resolution is subject to a permissive referendum in the manner provided in Article 7 and Section 183, Subdivision 1-a of the Town Law of New York. The Town Clerk shall publish Notice of Adoption of this resolution in the CHEEKTOWAGA TIMES and THE EXAMINER and post same as required by law.

L E G A L

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

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga in the County of Erie, in the State of New York, after holding a hearing for the purpose of considering the matter of dissolution of Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga, has adopted on the 23rd day of April, 1979, a resolution which (1) determines that Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga (for description see previous two pages) be dissolved, it being in the public interest to do so.

(2) That the dissolution of the said Tiorunda Fire Protection District No. 2 shall become effective at the same time as shall the extension of Cleveland Hill Fire District No. 6 of the Town of Cheektowaga shall become effective and which Fire District Extension shall result in all of the territory located within the Tiorunda Fire Protection District No. 2 to be included in the extension of the Fire District.

(3) Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York and petitions requesting that it be submitted to the qualified electors of the Town of Cheektowaga for approval or disapproval may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

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

Dated: April 23, 1979

RICHARD M. MOLESKI
TOWN CLERK

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

*See next few pages for certification and affidavits of publication.

STATE OF NEW YORK }
COUNTY OF ERIE }

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

1. Aregular..... 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
onApril 23,..... 1979..., and minutes of said meeting have been
duly recorded in the Minute Book by me in accordance with law for the purpose of
recording the minutes of meetings of said Board, and such minutes appear at item
.....No. 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.....25th..... day ofApril.....,
19..79..

Richard M. Moleski
Town Clerk

AFFIDAVIT

**STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA**

JAMES L. CHARTERS

being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 26 day of April, 1979 and ending on the _____ day of _____, 1981

Signed Mr. J. Charters
Sworn to before me, on the 26
day of April, 1979
Patricia H. Young
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

THE Examiner

YOUR COMMUNITY NEWS MAGAZINE

193

707 Cayuga Creek Rd.
Cheektowaga, New York 14227
(716) 892-6777

LEGAL

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga in the County of Erie, in the State of New York, after holding a hearing for the purpose of considering the matter of dissolution of Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga, has adopted on the 23rd day of April, 1979, a resolution which (1) determines that Tiorunda Fire Protection District No. 2 of the Town of Cheektowaga, described as follows:

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.80 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of Western Seneca County's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly along the south line of Maryvale Road on a course south 0-18'-13" east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89) feet to a point, (said point being at the north-east corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south 89-37 west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27) feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north 0-02'-47" west, Five Hundred Fifty-eight and Sixty hundredths (558.60) feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetery, Two Thousand Two Hundred Twelve and eight-two hundredths (2212.82) feet to a point at the south-east corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21'-17 east and along the east line of lands aforesaid Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48) feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00) feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21'-17 east, and along the east line of Harlem Road Seven Hundred Fifty-two and fifty-four hundredths (752.54) feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21) feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road).

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00) feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00) feet to a point in the south line of Maryvale Road at the north-east corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00) feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and Nineteen hundredths (2901.19) feet to a point of beginning, be dissolved, it being in the public interest to do so.

(2) That the dissolution of the said Tiorunda Fire Protection District No. 2 shall become effective at the same time as shall the extension of Cleveland Hill Fire District No. 6 of the Town of Cheektowaga shall become effective and which Fire District Extension shall result in all of the territory located within the Tiorunda Fire Protection District No. 2, to be included in the extension of the Fire District.

(3) Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York and petitions requesting that it be submitted to the qualified electors of the Town of Cheektowaga for approval or disapproval may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

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

Dated: April 23, 1979

Richard M. Molecki
Town Clerk



A MEMBER OF THE "RAMA" GROUP OF COMPANIES

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

Gladys M. Sechler, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks;
first publication... *April 26, 1979* ;
last publication... *April 26, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechler

Sworn to before me this *27th*

day of *April*, 19..... *79*

..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 *81*

NOTARY PUBLIC STATE OF ERIE

Checktowaga in the County of Erie, in the State of New York, after holding a hearing for the purpose of considering the matter of dissolution of Tiorunda Fire Protection District No. 2 of the Town of Checktowaga, has adopted on the 23rd day of April, 1979, a resolution which (1) determines that Tiorunda Fire Protection District No. 2 of the Town of Checktowaga, described as follows:

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Checktowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Checktowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south 0-18'-13" east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89) feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1286);

Thence westerly with the last mentioned boundary line, on a course south 89-37 west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27) feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north 0-02'-47" west, Five Hundred Fifty-eight and Sixty hundredths (558.60) feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetery, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82) feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforesaid Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48) feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00) feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54) feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21) feet southerly from the point of intersection of the south line of

Harlem Road One Thousand Forty and no Hundredths (1040.00) feet, on a course south 88-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00) feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00) feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19) feet to a point of beginning.

be dissolved, it being in the public interest to do so.

(2) That the dissolution of the said Tiorunda Fire Protection District No. 2 shall become effective at the same time as shall the extension of Cleveland Hill Fire District No. 6 of the Town of Checktowaga shall become effective and which Fire District Extension shall result in all of the territory located within the Tiorunda Fire Protection District No. 2 to be included in the extension of the Fire District.

(3) Said resolution is subject to a permissive referendum under the provisions of Article 7 of the Town Law of New York and petitions requesting that it be submitted to the qualified electors of the Town of Checktowaga for approval or disapproval may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF C H E E K T O W A G A, ERIE COUNTY, NEW YORK.

Dated: April 23, 1979

RICHARD M. BOGLE
Town Clerk

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Nussbaumer & Clarke, Inc., Consulting Engineers duly licensed by the State of New York, have, at the instance of the Town Board, prepared a map, plan and report providing for the extension of a Water (Hydrant) District of the Town of Cheektowaga known as "Water (Hydrant) District of Cleveland Hill Fire District No. 6", and said map, plan and report has been filed in the Office of the Town Clerk, in accordance with Article 12-A of the Town Law, and

WHEREAS, said map, plan and report was duly filed in the office of the Town Clerk for public inspection on March 19, 1979, and has remained on file in said office, and

WHEREAS, the boundaries of said proposed extension of Water (Hydrant) District of Cleveland Hill Fire District No. 6, as set forth in said map, plan and report, are as follows:

*See next two pages for description of boundaries.

PROPOSED EXTENSION TO
CLEVELAND HILL FIRE DISTRICT NO. 6
WATER (HYDRANT) DISTRICT

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a

course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetary, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82') feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48') feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00') feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54') feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21') feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00') feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00') feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00') feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19') feet to a point of beginning.

Item No. 3 Cont'd.

and

WHEREAS, the purpose of the extension of the district is to afford a supply of water for use by the fire district whose boundaries are being extended contemporaneously to be co-terminus with the boundaries of the extended water district in fighting fires by means of the existing hydrants and any additional hydrants which may be required in the future. The water is supplied by the Erie County Water Authority as are the hydrants and the present charge for each hydrant, including installation and maintenance thereof and the water supplied is the sum of One Hundred Twenty Six and no/100 (\$126.00) Dollars per year, paid on a monthly basis. The hydrants are installed by the Erie County Water Authority as ordered by the Town Board acting as Commissioners of the Water District, and

WHEREAS, there is no expenditure of money required to finance the cost of the extension and accordingly no issuance of bonds, notes, certificates or other evidences of indebtedness will be required, and

WHEREAS, the Town Board, on March 19, 1979 duly adopted an order providing that the Town Board shall meet at the Town Hall, corner of Broadway and Union Road in said Town, on the 2nd day of April, 1979 at 7:00 o'clock P.M., Eastern Standard Time, and hold a public hearing on the extension of said Water (Hydrant) District, at which all persons interested in the subject thereof might be heard concerning the same, and the Town Board did meet at such time and place and held such hearing, and heard all persons interested in the subject thereof, and

WHEREAS, after holding such hearing, the evidence offered at such public hearing requires that the Town Board make the determinations hereinafter set forth; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, as follows:

(1) It is hereby determined that (a) the notice of said hearing held on April 2, 1979 was published and posted as required by law and is otherwise sufficient, and (b) all of the property and property owners within the proposed extension of the Water (Hydrant) District as the boundaries of the same are hereinabove set forth, are benefited by the extension of said District, and (c) all of the property and property owners benefited thereby are included within the limits of the proposed extension of the Water (Hydrant) District of Cleveland Hill Fire District No. 6 as the boundaries of the same are hereinabove set forth, and (d) the extension of the Water (Hydrant) District is in the public interest.

(2) The extension of the Water (Hydrant) District of Cleveland Hill Fire District No. 6 with the boundaries hereinabove set forth is hereby approved.

(3) This resolution is subject to a permissive referendum in the manner provided in Article 7 and Section 209-e of the Town Law of New York, and petitions requesting such a referendum may be filed with the Town Clerk at any time within thirty days after the adoption of this resolution. The Town Clerk shall publish Notice of Adoption of this resolution in the CHEEKTOWAGA TIMES and THE EXAMINER and post same as required by law.

L E G A L

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

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, after holding a hearing on a map, plan and report providing for the extension of Water (Hydrant) District of the Cleveland Hill Fire District No. 6 of the Town of Cheektowaga, has adopted on the 23rd day of April, 1979, a resolution which (1) determines that notice of said hearing was duly published and posted as required by law and is otherwise sufficient and that all property and property owners within said proposed extension are benefited by the extension of said District, and that all property and property owners benefited thereby are included within the limits of said proposed extension

Item No. 3 Cont'd.

and that the extension of said District is in the public interest, and (2) approves the extension of said Water (Hydrant) District of the Cleveland Hill Fire District No. 6 of the Town of Cheektowaga. The resolution further states that there is no expenditure of money required to finance the cost of the extension and accordingly no issuance of bonds, notes, certificates or other evidences of indebtedness will be required. The resolution provides that the proposed extension shall contain the following territory (for description see beginning of Item No. 3, Page 3).

Said resolution is subject to a permissive referendum under the provisions of Article 7 and section 209-e of the Town Law of New York and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

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

Dated: April 23, 1979

RICHARD M. MOLESKI
TOWN CLERK

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

*See next few pages for certification and affidavits of publication.

STATE OF NEW YORK }
COUNTY OF ERIE }

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

1. Aregular..... 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
onApril 23..... 19.79..., and minutes of said meeting have been
duly recorded in the Minute Book by me in accordance with law for the purpose of
recording the minutes of meetings of said Board, and such minutes appear at item
.....No. 3....., inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed
the corporate seal of said Town, this.....25th..... day ofApril.....,
19.79...

Richard M. Moleski
Town Clerk

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 26 day of April, 1977 and ending on the _____ day of _____, 19

JL

Signed James L. Charters
Sworn to before me, on the 26
day of April, 1977
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

THE Examiner

YOUR COMMUNITY NEWS MAGAZINE

193

707 Cayuga Creek Rd.
Cheektowaga, New York 14227
(716) 892-6777

LEGAL

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, after holding a hearing on a map, plan and report providing for the extension of Water (Hydrant) District of the Cleveland Hill Fire District No. 6 of the Town of Cheektowaga, has adopted on the 23rd day of April, 1979, a resolution which (1) determines that notice of said hearing was duly published and posted as required by law and is otherwise sufficient and that all property and property owners within said proposed extension are benefited by the extension of said District, and that all property and property owners benefited thereby are included within the limits of said proposed extension and that the extension of said District is in the public interest, and (2) approves the extension of said Water (Hydrant) District of the Cleveland Hill Fire District No. 6 of the Town of Cheektowaga. The resolution further states that there is no expenditure of money required to finance the cost of the extension and accordingly no issuance of bonds, notes, certificates or other evidences of indebtedness will be required. The Resolution provides that the proposed extension shall contain the following territory:

PROPOSED EXTENSION TO CLEVELAND HILL FIRE DISTRICT 6 WATER (HYDRANT) DISTRICT

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south 0-18'-13" east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89) feet to a point, (said point being at the north-east corner of a Sub-division shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south 89-37 west, and along the north line of Glenwood Place, as shown on the aforesaid Sub-division Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27) feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north 0-02'-47" west, Five Hundred Fifty-eight and Sixty hundredths (558.60) feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetery, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82) feet to a point at the south-east corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned

Buffalo Drive in Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48) feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00) feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54) feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21) feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00) feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold.

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00) feet to a point in the south line of Maryvale Road at the north-east corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hun-

dredths (1040.00) feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19) feet to a point of beginning.

Said resolution is subject to a permissive referendum under the provisions of Article 7 and Section 209-e of the Town Law of New York and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

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

Dated: April 23, 1979

Richard M. Moleski
Town Clerk



A MEMBER OF THE "RAMA" GROUP OF COMPANIES

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

Gladys M. Sechters, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for weeks:
first publication *April 26, 1979* ;
last publication *April 26, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechters
Sworn to before me this *27th*
day of *April*, 19*79*
Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*81*

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, in the State of New York, after holding a hearing on a map, plan and report providing for the extension of Water (Hydrant) District of the Cleveland Hill Fire District No. 6 of the Town of Cheektowaga, has adopted on the 23rd day of April, 1979, a resolution which (1) determines that notice of said hearing was duly published and posted as required by law and is otherwise sufficient and that all property and property owners within said proposed extension are benefited by the extension of said District, and that all property and property owners benefited thereby are included within the limits of said proposed extension and that the extension of said District is in the public interest, and (2) approves the extension of said Water (Hydrant) District of the Cleveland Hill Fire District No. 6 of the Town of Cheektowaga. The resolution further states that there is no expenditure of money required to finance the cost of the extension and accordingly no issuance of bonds, notes, certificates or other evidences of indebtedness will be required. The Resolution provides that the proposed extension shall contain the following territory:

**PROPOSED EXTENSION TO
CLEVELAND HILL
FIRE DISTRICT NO. 6
WATER (HYDRANT) DISTRICT**

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south 0-18'-13" east and along the west line of lands of the

~~Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89) feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);~~

Thence westerly with the last mentioned boundary line, on a course south 89-37 west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27) feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north 0-02'-47" west, Five Hundred Fifty-eight and Sixty hundredths (558.60) feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetery;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetery, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82) feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48) feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00) feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54) feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21) feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00) feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along

the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00) feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00) feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19) feet to a point of beginning.

Said resolution is subject to a permissive referendum under the provisions of Article 7 and Section 209-e of the Town Law of New York and petitions protesting against said resolution requesting a referendum thereon as provided in Article 12-A of the Town Law may be filed with the Town Clerk at any time within 30 days after the date of the adoption of said resolution.

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

Dated: April 23, 1979

RICHARD M. MOLESKI
Town Clerk

Item No. 4 Motion by Supervisor Meeys, seconded by Councilman Burst

WHEREAS, the Town Board of the Town of Cheektowaga, in the County of Erie, deems it advisable that Cleveland Hill Fire District No. 6 of said Town be extended to include the territory described as follows:

*See next two pages for description of territory.

PROPOSED EXTENSION TO
CLEVELAND HILL FIRE DISTRICT NO. 6

On the south side of Maryvale Drive, at the point where the same is intersected by the east side of Harlem Road in the Town of Cheektowaga, County of Erie and State of New York, and running thence easterly a distance of 1073 feet; thence southerly 275 feet; thence westerly 1073 feet; thence northerly on the east side of Harlem 265.90 feet to the place of beginning.

All that certain piece or parcel of land situate lying and being in the Town of Cheektowaga, County of Erie and State of New York, being part of lot Twenty-six (26), Township Eleven (11) Range Seven (7) of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Beginning at a point in the south line of Maryvale Road distant three thousand nine hundred forty-one and nineteen hundredths (3941.19) feet easterly measured along said south line from its point of intersection with the east line of Harlem Road (said point of beginning also being the intersection of the south line of Maryvale Road with the west line of lands now owned by the Niagara Lockport and Ontario Power Company); thence southerly, with the south line of Maryvale Road on a course south $0-18'-13''$ east and along the west line of lands of the aforesaid Niagara Lockport and Ontario Power Company Two Thousand Three Hundred Ninety-eight and eighty-nine hundredths (2398.89') feet to a point, (said point being at the northeast corner of a Subdivision shown on a Map filed in the Erie County Clerk's Office under Cover No. 1266);

Thence westerly with the last mentioned boundary line, on a course south $89-37'$ west, and along the north line of Glenwood Place, as shown on the aforesaid Subdivision Map, Seven Hundred Fifty-two and twenty-seven hundredths (752.27') feet to a point;

Thence northerly, with the last mentioned boundary line, on a course north $0-02'-47''$ west, Five Hundred Fifty-eight and Sixty hundredths (558.60') feet to a point at the northeast corner of land now owned by the Diocese of Buffalo Holy Sepulchre Cemetary;

Thence westerly, with the last mentioned boundary line, on a

course south 89-44-03 west, and along the north line of lands now owned by the Diocese of Buffalo Holy Sepulchre Cemetary, Two Thousand Two Hundred Twelve and eighty-two hundredths (2212.82') feet to a point at the southeast corner of lands now owned by the Buffalo Drive In Theatres, Inc.;

Thence northerly parallel with the east line of Harlem Road, with the latest mentioned boundary line, on a course north 0-21-17 east and along the east line of lands aforementioned Buffalo Drive In Theatres, Inc., Eight Hundred Seventy-six and forty-eight hundredths (876.48') feet to a point at the northeast corner thereof;

Thence westerly, with the last mentioned boundary line, on a course south 89-44-03 west and along the north line of the Buffalo Drive In Theatres, Inc., One Thousand and No Hundredths (1000.00') feet to a point in the east line of Harlem Road at the northwest corner of lands of the Buffalo Drive In Theatres, Inc.;

Thence northerly, with the last mentioned boundary line, on a course north 0-21-17 east, and along the east line of Harlem Road, Seven Hundred Fifty-two and fifty-four hundredths (752.54') feet to a point at the southwest corner of lands now owned by Edwin O. Luippold, (said point being also Two Hundred Thirty-one and twenty-one hundredths (231.21') feet southerly from the point of intersection of the south line of Maryvale Road and the east line of Harlem Road),

Thence easterly with the east line of Harlem Road One Thousand Forty and no Hundredths (1040.00') feet, on a course south 89-30-53 east, to a point at the southeast corner of lands of the aforesaid Edwin O. Luippold,

Thence northerly, with the last mentioned boundary line, on a course north 0-22-07 east, and along the east line of lands now owned by Edwin O. Luippold Two Hundred Forty and no hundredths (240.00') feet to a point in the south line of Maryvale Road at the northeast corner of lands now owned by Edwin O. Luippold (said point being One Thousand Forty and no hundredths (1040.00') feet easterly from the intersection of the south line of Maryvale Road and the east line of Harlem Road);

Thence easterly with the last mentioned boundary line and along the south line of Maryvale Road, on a course north 90-00 east, Two Thousand Nine Hundred One and nineteen hundredths (2901.19') feet to a point of beginning.

Item No. 4 Cont'd.

and

WHEREAS, said Town Board duly adopted on the 19th day of March, 1979, a resolution providing that said Town Board shall meet at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, on the 2nd day of April, 1979, at 7:00 o'clock P.M., Eastern Standard Time, to hear all persons interested in the matter of the extension of such Cleveland Hill Fire District No. 6 and notice of such hearing was duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said notice, duly met and considered the matter of such extension, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, the Commissioners of said fire district have consented in writing to such extension as provided for in Section 170, Subdivision 2 of the Town Law of New York, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Cheektowaga, in the County of Erie, that it be and hereby is determined as follows:

(1) It is in the public interest to extend the existing Cleveland Hill Fire District No. 6 of said Town to include the territory hereinbefore described.

(2) That all of the property, property owners, and interested persons within the proposed extension of said District are benefited thereby.

(3) That all of the property and property owners benefited are included within the proposed extension of said Fire District, and it is FURTHER

RESOLVED, that the Town Board do and it hereby does approve the extension of said Cleveland Hill Fire District No. 6 of said Town to include the territory hereinbefore described, and the said Fire District is hereby extended to include said territory, and BE IT FURTHER

RESOLVED, that the Town Clerk be and he hereby is authorized and directed to file a certified copy of this resolution, in duplicate, in the office of the Comptroller of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to so extend said Fire District in the manner and form prescribed by Section 173 of the Town Law of New York, within ten days after the adoption of this resolution, and BE IT FURTHER

RESOLVED, that the Town Supervisor be and he hereby is authorized and directed to execute said application on behalf of the Town of Cheektowaga.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

CERTIFICATION-NEXT PAGE

STATE OF NEW YORK }
COUNTY OF ERIE }

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

1. Aregular..... 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
onApril 23..... 1979...., and minutes of said meeting have been
duly recorded in the Minute Book by me in accordance with law for the purpose of
recording the minutes of meetings of said Board, and such minutes appear at item
.....No. 4....., 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.....25th..... day ofApril.....,
19..79...

Richard M. Moleski
Town Clerk

Item No. 5 Motion by Supervisor Meyers, seconded by Councilman Johnson

BE IT RESOLVED, that Change Order No. 11, Contract No. 1, Change Order No. 9, Contract No. 2A and Change Order No. 2, Contract No. 2B for the Northeast Interceptor Project (C-36-323) of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program to allow extension of the contract completion date from April 3, 1979 to September 30, 1979 with no change to the contract price be approved. The reason for the extension completion date is defined in a letter from the Town Engineer dated April 19, 1979 and considered part of this resolution, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga Sewer District No. 5.

*See next page for letter.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2300

April 19, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Northeast Interceptor
Change Orders

Gentlemen:

The attached resolutions are submitted for your approval of four (4) change orders on the Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program. Noted below are the explanations of the change orders as requested by Amadori Construction Company, Inc. and recommended by our consulting engineers, Nussbaumer & Clarke, Inc.

Change Order No. 11, Contract No. 1

Change Order No. 9, Contract No. 2A

Change Order No. 2, Contract No. 2B

The above three (3) changes are a request for the contract completion date change from April 3, 1979 to September 30, 1979 with no change in the total contract price. The time extension request was required due to the delay in securing the necessary approvals to conduct blasting operations for a tunnel through the Niagara Mohawk Power Corporation property.

Change Order No. 9, Contract No. 1

This change order is required as the actual length of permanent steel sheetpiling from Sta. 61+11 to 65+09 varied from the anticipated contract quantity due to soil borings detailing rock elevations taken in this vicinity not clearly being representative samples of actual field conditions. Additional sheetpiling was required over and above the amount allocated in the contract specifications with a cost increase of \$57,633.00 to the contract. The cost increase is explained in detail in Exhibit A of the change order.

Very truly yours,
TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer


BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 5 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 6 Motion by Supervisor Meyers, seconded by Councilman Johnson

BE IT RESOLVED, that Change Order No. 9 for the Northeast Interceptor Project (C-36-323) of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program in the amount of \$57,663.00 as an addition to the Amadori Construction Company, Inc., Contract No. 1 be approved. A description of the Change Order is defined in a letter from the Town Engineer dated April 19, 1979 and considered part of this resolution, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 5.

*See next page for copy of letter.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

April 19, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Northeast Interceptor
Change Orders

Gentlemen:

The attached resolutions are submitted for your approval of four (4) change orders on the Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program. Noted below are the explanations of the change orders as requested by Amadori Construction Company, Inc. and recommended by our consulting engineers, Nussbaumer & Clarke, Inc.

Change Order No. 11, Contract No. 1

Change Order No. 9, Contract No. 2A

Change Order No. 2, Contract No. 2B

The above three (3) changes are a request for the contract completion date change from April 3, 1979 to September 30, 1979 with no change in the total contract price. The time extension request was required due to the delay in securing the necessary approvals to conduct blasting operations for a tunnel through the Niagara Mohawk Power Corporation property.

Change Order No. 9, Contract No. 1

This change order is required as the actual length of permanent steel sheetpiling from Sta. 61+11 to 65+09 varied from the anticipated contract quantity due to soil borings detailing rock elevations taken in this vicinity not clearly being representative samples of actual field conditions. Additional sheetpiling was required over and above the amount allocated in the contract specifications with a cost increase of \$57,633.00 to the contract. The cost increase is explained in detail in Exhibit A of the change order.

Very truly yours,
TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer


BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 6 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 7 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, bids were duly received on April 2, 1979 as a result of advertisement, thereof, for the furnishing of all materials and labor for Stage 1, Phase A, of the Cedargrove Heights Neighborhood Improvement Program, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto contained in a letter to the Town Board from the Town Engineer dated April 19, 1979, NOW THEREFORE BE IT

RESOLVED, that the contract for the furnishing of labor and materials for the Stage 1, Phase A, Cedargrove Heights Neighborhood Improvement Program as recommended in the Town Engineer's report of April 19, 1979 be and the same is hereby awarded to Destro & Brothers Concrete Company, Inc., 3150 Seneca Street, West Seneca, New York for Item 4 of the specifications at the bid price of \$278,896.30, said being the lowest bid meeting the requirements of the specifications, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign the contract with said Destro & Brothers Concrete Company, Inc. on behalf of this Town Board.

*See next page for copy of report.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

April 19, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of April 2, 1979 bids were received and publicly opened for Stage 1, Phase A of the Cedargrove Heights Neighborhood Improvement Program. Nine (9) bidders submitted four (4) bids each for various scopes of work to be performed. Bids varied from the lowest bid of \$197,090.10 to \$781,412.00. The lowest three (3) bidders are listed as follows:

<u>CONTRACTOR</u>	<u>ITEM I</u>	<u>ITEM II</u>	<u>ITEM III</u>	<u>ITEM IV</u>
Destro Bros.	\$197,090.10	\$227,510.00	\$248,476.30	\$278,896.30
Nichter Assoc.	\$275,870.50	\$323,190.50	\$317,057.00	\$364,377.00
Bee Line Cont.	\$285,236.27	\$341,107.67	\$314,761.98	\$370,633.38

Bids were reviewed by the consulting firm of Nussbaumer & Clarke, Inc. A review of all the alternates submitted was conducted with Mr. Stuart Alexander, Consultant and Mr. Jerry Gabryszak, Community Development Coordinator. It is recommended that the bid be awarded to Destro & Brothers Concrete Company, Inc. for their submission of the lowest bid meeting the requirements of the specifications, with the award to be made for Item 4 of the specifications at the bid price of \$278,896.30.

Very truly yours,

TOWN OF CHEEKTOWAGA

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

CLB:dmr

Item No. 7 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 8 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, bids were duly received on April 18, 1979 as the result of advertisement, therefore, for the furnishing to the Town of Cheektowaga of all reinforced concrete and corrugated metal pipe requirements for the year of 1979, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated April 19, 1979, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of pipe to the Town for the year of 1979 as per said unit prices and as recommended by the Town Engineer be and the same hereby is awarded to Lane Metal Products Company, Inc., P.O. Box 711, Bath, New 14810 for the following prices for corrugated metal pipe:

42" dia.	\$18.68/ft.
54" dia.	\$29.22/ft.

and to Great Lakes Pipe Company, Inc., 1705 Union Road, West Seneca, New York 14224 for the following prices for reinforced concrete pipe:

24" dia.	Class III	\$ 8.07/ft.
24" dia.	Class IV	9.21/ft.
42" dia.	Class III	25.25/ft.
42" dia.	Class IV	28.36/ft.

*See next two pages for copy of tabulation.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

April 19, 1979

TO THE SUPERVISOR AND THE
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Reinforced Concrete and
Corrugated Metal Pipe
Bid Award

Gentlemen:

At the regular Town Board Meeting of April 18, 1979 bids were received and publicly opened for the purchase of reinforced concrete and corrugated metal pipe in various sizes and quantities for the year of 1979. Three (3) bids were received for corrugated metal pipe as follows:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
Lane Metal Products Co., Inc.	\$25,572.80
Chemung Supply Corp.	\$26,631.60
Armco Steel Corp.	\$29,414.00

Two (2) bids were received for reinforced concrete pipe as follows:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
Great Lakes Pipe Co.	\$5,597.33
Kans Supply	\$5,739.53

These bids cover unit prices for different sizes of pipe. The bids, as received, were based on quantities of various sizes anticipated for this year. The bidders are not guaranteed by the Town that quantities listed are firm.

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS

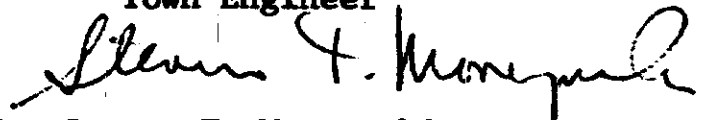
April 19, 1979
Page 2

It is, therefore, recommended that the bid be awarded to Lane Metal Products Company, Inc. for the submission of the lowest bid meeting the requirements of the specifications for corrugated metal pipe and to Great Lakes Pipe Company, Inc. of West Seneca for the reinforced concrete pipe.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer



BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 8 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 9 Motion by Councilman Burst, seconded by Councilman Swiatek

WHEREAS, through previous Resolution, the Cheektowaga Town Board has duly advertised and received bids for the furnishing of one (1) new 3/4 ton, 4-wheel drive pick-up truck with snow plow for the Facility Department, AND

WHEREAS, Councilman James Burst, Chairman of the Equipment Management and Procurement Committee, has reviewed all bids submitted at the Town Board Meeting of April 18, 1979, AND

WHEREAS, Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York 14225, submitted the low bid of \$7,525.00, AND

WHEREAS, Mid-City Dodge has complied with all phases of the specifications and has included at no additional cost several options, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board award said bid to Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York 14225, in the amount of \$7,525.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 10 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, it would benefit the Town of Cheektowaga to acquire various parcels in the Cayuga Creek Flood Plain as a natural extension of the existing Losson Road Park Site, NOW THEREFORE BE IT

RESOLVED, that John F. Kreitner, Consultant-Appraiser, of 10365 Main Street, Clarence, New York, be and hereby is retained to appraise the parcels under the supervision of James J. Matecki, Director of the Facility Department, at a fee not to exceed \$1,000.00, and BE IT FURTHER

RESOLVED, that a transfer of funds from the Contingency Fund of the Town of Cheektowaga be effectuated for the payment of such fee.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, an Appraisal Course, with emphasis on the revalue program, is being held on Friday, April 27, 1979, in Hamburg, New York, and

WHEREAS, Andrew Schwenk, Sole Assessor for the Town of Cheektowaga, has requested permission to attend along with Raymond Lewandowski and William Conway, Assistant Field Assessors, NOW THEREFORE BE IT

RESOLVED that the above named individuals be and hereby are authorized to attend said Appraisal Course on April 27, 1979, at a cost of \$35.00 per person; total cost not to exceed \$105.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga is expanding its development potential with the creation of Sanitary Sewer District No. 8, and

WHEREAS, the growth of business and industrial development is an important factor in the total financial future of the Town, and

WHEREAS, development competition from other communities is causing concern by the Town Board, and

WHEREAS, the fiscal and tax position of the Town is believed to be an excellent asset of the Town, NOW THEREFORE BE IT

RESOLVED that the Town hereby retains the firm of Percival G. Bixby and Co. CPA's to prepare:

- I - A complete fiscal report of the Town for distribution to present business and industrial development. This report would include:
 - A - Summarized Annual Financial Report as of December 31, 1978
 - B - Real Property Tax Rate Comparison with key neighboring communities
 - C - Basic Town Board actions and policies having fiscal implications
 - D - Summary of fiscal status and future projections.
- II - A promotional brochure describing the Town to potential new business and industrial development. This brochure would include:
 - A - A narrative description of the Town and its many assets
 - B - Real Property Tax Rate Comparison with neighboring communities
 - C - Summary of fiscal status and future projections.

AND BE IT FURTHER

RESOLVED that the fee for these services is not to exceed \$6,500.00 and is to be funded by a transfer of this amount from CP909 Federal Revenue Fund - Fund Balance to CF1010.445 Town Board contractual expense.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following voucher and warrant submitted to the TOWN OF CHEEKTOWAGA prior to April 23rd be and the same is hereby approved and the Supervisor is authorized to pay same.

<u>FUND</u>	<u>CHECK NO.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
CAPITAL FUND	194		\$34,302.54
		TOTAL	<u>\$34,302.54</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

II. DEPARTMENTAL COMMUNICATIONS

Item No. 14 Building Permits.
Approved; item received and filed.

III. GENERAL COMMUNICATIONS

Item No. 15 N.Y.S. Dept. of Transportation - (4) Notices of Order correcting descriptions of intersectional controls of South Creek Dr., South Creek Plaza Drives and Zoerb Ave. at their intersection with Union Road.
Copies sent to Honorable Members of the Town Board, Captain Robert Lis-Chktg. Police Dept. and the Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 16 N.Y.S. Dept. of Transportation - (2) Notices of Order: Repeal yield sign control at Goering Ave. & Union Road; establish stop sign control at Goering Ave. & Union Road.
Copies sent to Honorable Members of the Town Board, Captain Robert Lis-Chktg. Police Dept. and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 17 N.Y.S. Dept. of Transportation - Correspondence relative to relocation of bus stop on Genesee Street and Alpine Place.
Copies sent to Honorable Members of the Town Board, Captain Robert Lis-Chktg. Police Dept. and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 18 Notice of Claim - Louis R. Marciniak vs. Town of Cheektowaga.
Copies sent to Supervisor Kenneth J. Meyers, John Rogowski-Town Attorney, Ron Zoeller-Sanitation Foreman and Town Insurance Company; item received and filed.

Item No. 19 Edward J. Szarpa, 116 Hedwig Avenue - Correspondence relative to repair of sidewalk.
Copies sent to Honorable Members of the Town Board, Chester L. Bryan-Town Engineer and Alfred Wnek-Highway Superintendent; item received and filed.

Motion by Councilman Swiatek, seconded by Councilman Burst to Waive the Rules.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

IV. SUSPENSION OF RULES

Item No. 20 Highway Department - Award of bids for road materials.

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 19, 1979 for road materials for the Cheektowaga Highway Department, as a result of advertisement therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed

Item No. 20 Cont'd.

NOW, THEREFORE, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next several pages for letter and tabulation.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

April 11, 1979

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board Members
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened and read at the Town Board meeting of March 19, 1979 at 7:00 P.M. for road materials for the Town of Cheektowaga Highway Department. After checking and tabulating bids, I recommend that awards be made as follows:

Buffalo Cr. Stone

1B Top
#1 Crushed Stone
#1A Crushed Stone
#2S (Slag)
#1&2 Mixed
#3 Stone
Crusher Run 6"
6" Crusher Screenings
Rip Rap

Buffalo Slag

#1 Fine Binder
#2 Coarse Binder
#0 Stone Screenings
Bank Run Screenings
Crusher Run #2
Crusher Run #3
Slag Bank Run

Lancaster Stone

1AC Top Armour Coat
Stockpile (Winter Mix)
Sand Sheet Asphalt (X-Fine)
Item 59W
#2 Stone
#4 Stone
#4A Stone
Fine Quarry Run
Crusher Run #1
Oiling Stone
Crusher Screenings

Pine Hill Concrete - Sand, Pea Gravel and Washed Gravel (various sizes).

LoBuglio Block - Cement & Mortar

Buffalo Slag - Gravel, delivered

Pine Hill Concrete - Gravel, picked up

Buffalo Slag - Grit, delivered

Custom Top Soil Inc. for all types of top soil, regular, screened and shredded - picked up.

We are not awarding the top soil to be delivered as we never have it delivered.

RECEIVED

APR 12 1979

Richard M. Moleski, Town Clerk

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

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZIEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

April 11, 1979

Page 2
Award of Bids for Road Materials

I also recommend the various road oils, Item 64P, 67B MCO, Item 70B Surface treatment and Item 70B Grade C be awarded to Krantz Inc.

LoBuglio Block Co. is the lowest responsible bidder for all concrete blocks.

United Sand & Gravel, Inc. has been excluded from the bids as they are located too far away. Also the bids from County Line Stone had to be excluded as we received these bids too late.

At the present time we are not going to award the bids for concrete and will award them at a future date.

A recap of the bids are available at the Highway Department. I trust this meets with your approval.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss
Enclosures

Copies: Mr. Richard Moleski - Town Clerk
Mr. John Rogowski - Town Attorney
Mr. Al Blachowski - Engineering Dept.
Mr. Jerry Gabryczak - Council Office
Town Board Members

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

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



OFFICE OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

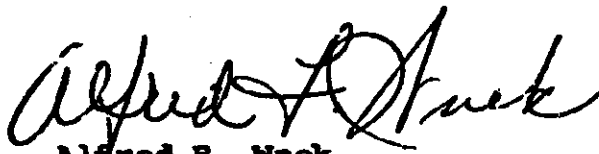
April 11, 1979

A meeting was called for bidders who were tied for various road materials at 9:30 A.M., April 11, 1979. Present were representatives of Buffalo Crushed Stone - Mr. J. Hicks and Mr. F. Finger; Buffalo Slag - Mr. D. Nazzaro and Lancaster Stone - E. Bittlinger. Also present were Mr. R. Miller, town attorney, Mr. R. Moleski, town clerk and Mr. Alfred F. Wnek, Superintendent of Highways.

Mr. Miller advised all interested parties that pursuant to bids opened on March 19th, 1979, there were several items bid that were the same. According to specifications, awards would be made based on unit price.

The best method of awarding the items that were tied was to have a ballot drawing, #1 was Buffalo Crushed Stone, #2 - Buffalo Slag and #3 - Lancaster Stone. All concerned were agreeable. The result of the drawing was as follows:

<u>Item</u>	<u>Award</u>
LAC Top Armour Coat	Lancaster Stone
1B Top	Buffalo Crushed Stone
Winter Mix	Lancaster Stone
Extra Fine Top(Sand Sheet Asphalt)	Lancaster Stone
#1 Crushed Stone	Buffalo Crushed Stone
#1A Crushed Stone	Buffalo Crushed Stone
#2 stone	Lancaster Stone
#2S (Slag)	Buffalo Crushed Stone
#1 & 2 Mixed Stone	Buffalo Crushed Stone
#3 Stone	Buffalo Crushed Stone
Crusher Run #1	Lancaster Stone
Diling Stone	Lancaster Stone
Rip Rap	Buffalo Crushed Stone


Alfred F. Wnek
Superintendent of Highways

AFW/mss

Copies: Mr. Richard Moleski - Town Clerk
Mr. Robert Miller - Town Attorney
Mr. J. Hicks - Buffalo Crushed Stone
Mr. D. Nazzaro - Buffalo Slag
Mr. E. Bittlinger - Lancaster Stone

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

OPINION NO. 8286

Municipalities—Contracts and Purchases—Competitive Bidding.—
A contract may not be divided among identical bidders (Gen Mun L. §103), but there is some authority for drawing lots in making the award.

Inquiry: Where identical low bids are received from three bidders, may the municipality contract to purchase one-third of its needs from each of them?

Statement of Law: General Municipal Law §103 provides for tie bids: "In cases where two or more responsible bidders furnishing the required security submit identical bids as to price, such officer, board or agency may award the contract to any of such bidders." We are of the opinion that this means any one of the bidders. Otherwise there would be not one contract awarded but three contracts. We can find no authority for awarding more than one contract where the advertisement was for only one contract. A New Jersey case, *State v. Board of Street and Water Commissioners* (28 A 424 (1893)), did not allow a contract to be split between two bidders.

There is some authority for drawing lots in cases of identical bids. *Baininger Electric Co., Inc. v. Forbes* (170 M. 589, 10 NYS2d 924 (1939)) concerned a New York City Charter provision that "tie bids are to be decided by the agency letting the contract". The commissioner who had the duty of deciding drew lots. The court stated: "There is no provision in law as to the practice to be adopted by the Commissioner in such a situation. He has, however, exercised his discretion by adopting the practice of making the award by the drawing of lots."

Or all bids may be rejected and new bids requested (Gen Mun L. §103(1)).

Conclusion: Where there are identical bids, a contract may not be divided among the bidders. There is some authority for drawing lots in such cases.

September 21, 1956.

April 11, 1979

- 1.) Buffalo Crushed Stone 1-B
(1-A CRUSHED STONE) (2-5- STONE) (EXTRA CRUSHED STONE)
(1+2 MIXED) (NO. 3 STONE) (RIP RAP)
- 2.) Buffalo Slag

- 3.) Lancaster Stone 1-A
Winter Mix
EXTRA FINE STONE
NO. 2 STONE
1" C-RUN
3/8" OIL STONE

FOR PERIOD APRIL 2, 1979 THROUGH MAY 1, 1980
 ROAD MATERIAL BIDS RECEIVED 5/19/79

	BUFFALO SLAG	LANCASTER STONE	BUFFALO CRUSHED STONE	UNITED SAND & GRAVEL, INC. (Sardinia, N.Y)
<u>Ready Mixes</u>				
#1 Fine Binder	#41075 13.60T FOB Chtg.Plt.	Extra Fine-1,2A or Type 3 Binder 14.00	14.00	
#2 Coarse Binder	#41135 12.55 FOB.Chtg.Plt.	Coarse-1A or Type 4 Binder 13.25	13.25	
1AC Top Armour Coat	#41035 15.75 FOB Chtg. Plt.	15.75	15.75	
1B Top	#41035 N/B	Erie Coat-Modified Top 15.75 Fine 15.15	1A top 15.15 1B Top 15.55	
Stockpile (Winter Mix)	#41249 15.51 FOB Woodlawn Plt.	Lancaster Stone Kote Top-Dense 16.75 15.50	15.50	
Sand Sheet Asphalt	#41159 18.20	15.65	15.65	
		2A Top 18.30		
Item 59W (Bituminous Stabilized Material)	N/B	Sylvax Hi Performance Cold-43.00 patch 59W 10.40	N/B	
		45-1A Base or Type 2 Base 12.50	Weld Kote 16.75 2A Binder 14.00	
<u>Stone</u>				
#0 Stone Screenings	3.60 FOB Chtg. Plt.	4.30 When Available	N/B	
#1 Crushed Stone	4.90	3.90	3.90	2.20
#1A Crushed Stone	5.20	4.40	4.40	2.35
#2	3.70	3.70	3.70	1.90
#2S	3.70	3.40-Dust Agrilime	3.70	N/B

	Buffalo Slag	Lancaster Stone	Buffalo Crushed Stone	United Sand & Gravel Inc.
#1 & 2 Mixed	3.80	3.75	3.75	2.05
#3	N/B	3.45	3.45	N/B
#4	N/B	3.40	3.50	
#4A	N/B	3.40	3.50	
Bank Run Screenings	3.60	3.75	3.75	
Fine Quarry Run	3.60	2.45	N/B	
Crusher Run #1	N/B	3.60	3.60	2.50
#2	3.20	3.30	3.30	
#3	3.20	3.30	3.30	
Oiling Stone	N/B	4.05	4.05	N/B
Crusher Run 6"	N/B	5.00 per T delivered	3.15	
6" Crusher Screenings (Surge Pile)	3.60	5.00 per T delivered	3.15	
Slag - Bank Run	1.50 per T		N/B	
Rip Rap	3.60 not selected	3.10 Unselected	3.10	
Crusher Screening	N/B	2.85	N/B	
	<u>Buffalo Slag</u>	<u>Pine Hill Concrete</u>	<u>Buffalo Cr. Stone</u>	<u>United Sand</u>
Sand	N/B	6.75 per yd. 4.50 T		Concrete- 2.00 per T
Pea Gravel	N/B	5/8" = 3.50T	N/B	N/B
Washed Gravel (Various Sizes)	N/B	2" - 3.75T 3" x 4" - 3.00T		2.00 per T

	Paul Reifler, Inc.	LoBuglio Block	Duch Bldrs. (If increase in price, change will be made & we will be advised)
Concrete Blocks-per cube			
6" standard, hollow 100/cube	90/cube .40 ea. 36.00 per cube	115/cube .35 ea. 40.25 per cube	
6" 1/2 block, hollow 200/cube	180/cube .25 " 45.00 " "	230/cube .22 " 50.60 " "	
8" standard, hollow 90/cube	.53 " 47.70 " "	.48 " 43.20 " "	
8" 1/2 block, hollow 140/cube	120/cube .31 " 37.20 " "	120/cube .29 " 34.80 " "	
10" standard, hollow 65/cube	60/cube .63 " 37.80 " "	67/cube .58 " 38.86 " "	
10" 1/2 block, hollow 120/cube	.36 " 43.20 " "	134/cube .34 " 45.56 " "	
Concrete brick standard 784/cube	720/cube .12 86.40 " "	720/cube 108.00 77.76 " "	
Cement	35 bag lots -3.93 per bag	3.55 per 94# bag	3.73 per bag
Mortar	45 bag lots -3.53 per bag	3.00 per 70# bag	3.14 per bag
	Buffalo Slag	United Sand	Pine Hill Concrete
Gravel	5.00 per T delivered N/B Picked Up	N/B N/B	6.00 per T delivered 4.50 per T Picked up
Grit	4.35 per T delivered N/B Picked up	N/B 1.35 per T	N/B N/B

	Wilfred schultz	Custom Top Soil	
Top Soil			
Regular Delivered	8.00	8.90	
" Picked/up	7.50	6.90	
Screened Delivered	N/B	10.90	
" Picked/up	N/B	9.90	
Shredded Delivered	8.90	9.90	
" Picked/up	8.00	7.90	
Road Oil	Western Bituminous	Krantz Inc.	Midland Asphalt
Item 64P-Asphalt for Penetration Construction	.55 gal	.55 gal.	.55 gal. (AC-5)
Item 67B MCO Heavy Duty Layer Cold Application	.59 gal.	.59 gal.	.59 gal. (MC-30, 70, 800 OF 3000)
Item 70B Surface Treatment Asphalt Emulsion	.525 gal.	.525 gal.	.525 gal. (RS-1)
Item 70B Grade C Surface Treatment Asphalt Emulsion	.525 gal.	.525 gal.	.525 gal. (RS-2)
MC-1 Penetrating Oil	.395 gal.	.59 gal.	N/B
	Road Tar - .71 Anti-Strip additive- add .04 Pugmill or Mix-Paver- add .03		.555 (HFMS-2) .555 (MS-2) .555 (CMS-2) The three above to be applied thru Midland Mix-Paver or Stabilization Plant.

NOTE: ALL BIDDERS FOR ROAD OILS HAVE ESCALATION CLAUSE INCLUDED WITH THE BIDS.

	PINE HILL CONCRETE	ROBERT BUYERS
Fine Aggregate for Concrete	4.50 per T F.O.B. Pits	N/B
Cement		
Item 15 - 2A Portland	11.60 per bbl.	N/B
Class A Concrete Aggregate Only	17.00 plus 6.00 trucking	N/B
Class B Concrete Aggregate	17.00 " " "	N/B
Class B Concrete Aggregate W/Possolith	23.00 plus .25 per bag	37.45 per cubic yard
Concrete Mix	3000 PSI -38.95, 6 bag min	38.90 per cu. yd.
1-2-3 Mix	39.70 cu. yd. - heated \$4.00 cyd.	38.30 " " "
1-2-3 Mix W/Calcium	39.70 " " " "	See next two lines
Calcium	1/2% - .05 per bag 1 % .10 " " 1 1/2 % .15 " " 2 % .20 " "	1/2% - add 1.40 per load 1 % " 2.90 " " 1 1/2 % " 4.30 " " 2 % " 5.70 " "

Cubic Yards (Short Load Charges)			
		1-2-3 Mix	6 Bag Mix
1/4	49.93	44.58	44.70
1/2	55.85	54.15	54.45
3/4	63.78	63.73	64.15
1	71.70	68.30	68.90
1 1/4	79.63	77.88	78.60
1 1/2	87.55	87.45	88.35
1 3/4	95.48	97.03	98.00
2	103.40	104.60	105.50
2 1/4	111.31	114.18	115.50
2 1/2	119.25	123.75	125.00
2 3/4	127.18	129.33	130.75
3	135.10	130.90	132.50
3 1/4	142.00	140.48	142.00
3 1/2	150.95	150.05	152.00
3 3/4	158.85	159.63	161.50
4	166.80	161.20	163.00
4 1/4	174.75	170.78	173.00

PINE HILL CONCRETE

ROBERT BUYERS

Cubic Yards (Short Load Charges)		1-2-3 Mix	6 Bag Mix
4 1/2	182.65	180.30	183.00
4 3/4	190.58	185.90	192.00
5	198.50	191.50	194.50
5 1/4	208.43	201.05	204.00
5 1/2	218.35	210.65	213.00
5 3/4	228.25	220.20	223.50
6	238.20	229.80	233.00
6 1/4	248.15	239.30	243.00
6 1/2	258.05	248.90	252.50
6 3/4	267.98	258.50	262.50
7	277.90	268.00	272.00
7 1/4	287.83	277.60	282.00
7 1/2	297.75	287.00	291.70
7 3/4	307.68	296.75	301.00
8	317.60	306.00	311.00
8 1/4	327.53	315.90	320.75
8 1/2	337.45	325.50	330.50
8 3/4	347.38	335.00	340.20
9	357.30	344.50	350.00
9 1/4	367.20	354.00	359.00
9 1/2	377.15	363.00	369.50
9 3/4	386.05	373.00	379.00
10	396.35	383.00	388.00

Item No. 20 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 21a Hiring of part-time Clerk-Typist for various Town Hall Departments.

Motion by Supervisor Meyers, seconded by Councilman Burst

RESOLVED that Ruth Glogowski, of 102 Northern Parkway, be and hereby is hired as a Clerk-Typist, to be called as needed, to assist with work in various Town Hall departments; said salary rate of \$22.00 per day.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 21b Hiring of seasonal Laborer in the Facility Department.

Motion by Supervisor Meyers, seconded by Councilman Burst

BE IT RESOLVED that the following individual be and hereby is hired as a Seasonal Laborer in the Facility Department, at the rate of \$2.65 per hour:

Michael A. Niedzielski

Cheektowaga, New York 14227
(893-6811)

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux and Burst
NAYES: 0
ABSENT: Councilmen Kaczmarek and Wegner

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Swiatek to adjourn the meeting until May 7th, 1979 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

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 7th day of May, 1979 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John Rogowski, Town Attorney; Theodore DeFedericis, Chief of Police; Ken Kopacz, Executive Director of the Youth Bureau; Ron Zoeller, Sanitation Department Foreman; Sal LaGreca, Assistant Manpower Program Director I; Ed Leak, Recreation Director; Al Thrun, Cheektowaga Traffic Safety Commission; Mrs. Julia Reinstein, Town Historian; Dr. Louis Vendetti, Town Health Officer.

I. BIDS

Item No. 2 Two (2) 3/4 ton pick-up trucks for use by the Sewer Maintenance Department.
Referred to the Equipment Management and Procurement Committee.

II. PUBLIC HEARINGS

Item No. 3 This being the time and place advertised for a public hearing on the proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment 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.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
BETTY LOU DRIVE (Map Cover: 2159 & 2160)	Intersection of north street line of North Creek Drive and being the south lines of sublots 1 & 25, Map Cover 2159 & 2160.	Intersection of south line of Joseph Drive and being the north lines of sublots 121 & 122, Map Cover 2159 & 2160.

TYPE OF STREET LIGHTING INSTALLATION

Install six (6) - 7000 lumen post top units.
Estimated cost per year for two years - \$.91 per front foot.
(Total Frontage - 2,204.80 feet)

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.

III. RESOLUTIONS

Item No. 4 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the third regularly scheduled Town Board meeting in May should take place on Monday, May 28th, 1979 at 1:00 o'clock P.M., AND

WHEREAS, Monday, May 28th, 1979 is a legal holiday, namely Memorial Day, NOW THEREFORE BE IT

RESOLVED, that the date of the third regularly scheduled Town Board meeting in May is hereby changed to Tuesday, May 29th, 1979 at 1:00 o'clock P.M., Eastern Daylight Saving Time.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, John G. and Geraldine E. Spence have applied for a rezoning from R-Residential District to RC-Restricted Business District on property located at 4720 Union Road, Cheektowaga, New York, and being more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 19, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the west line of Union Road as now laid out 100 feet wide at its intersection with the south line of lands conveyed to the County of Erie by deed recorded in Erie County Clerk's Office in Liber 2876 of Deeds at Page 478; thence west along south line of lands so conveyed 186.97 feet to the east line of lands conveyed to Danie G. Gentile by deed recorded in Erie County Clerk's Office in Liber 5365 of Deeds at Page 114; thence north along east line of lands so conveyed and said line continuing northerly 134.97 feet; thence east parallel to south line of lands so conveyed to the County of Erie as aforesaid 184.54 feet to the west line of Union Road as now laid out 100 feet wide; thence south along said west line 135 feet to the place of beginning,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 2nd day of April, 1979 at 6:30 o'clock P.M. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York, and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the said proposed rezoning may be detrimental to the surrounding property owners and residents, now, therefore, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential District to RC-Restricted Business District be and is hereby denied.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 6 Decision on Rezoning - rear of 2989 Genesee St., subplot 101 and part of subplot 102.

Item Withdrawn.

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Peter Santin has applied for a rezoning from RA-Apartment District to C-Retail Business District on property located at 1385 French Road, Cheektowaga, New York, and being more particularly described as follows:

ALL THAT PARCEL OF LAND SITUATE in the Town of Cheektowaga, County of Erie, State of New York, and being part of Lot 42, Township 10, Range 7, and being described as follows:

BEGINNING AT A POINT at the intersection of the south line of French Road and the west line of Slate Drive; thence south along the west line of Slate Drive 50.00 feet to a point of curve; thence continuing along the west line of Slate Drive on a curve to the left, whose radius is 294.01 feet, 91.47 feet to a point; thence west along a line parallel to the south line of French Road 159.11 feet to a point; thence north along a line that forms a right angle with the last mentioned line, 140.00 feet to a point in the south line of French Road; thence at right angles east along the south line of French Road 145.00 feet to THE POINT OF BEGINNING.

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of March, 1979 at 6:30 o'clock P.M. Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the requirements of Section 6-011, paragraphs (b) and (c), Section 6-05, paragraph (c), and Section 6-10 of the Town Zoning Ordinance dealing with the screening of the adjacent residential area should be complied with, and

WHEREAS, it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, now, therefore, BE IT

RESOLVED that said rezoning is granted subject to the owner complying with the provisions of Section 6-011, paragraphs (b) and (c), Section 6-05, paragraph (c), and Section 6-10 of the Town Zoning Ordinance wherein the premises must be properly screened along the boundary line between subject premises and adjacent residential properties, and BE IT FURTHER

RESOLVED that the above described premises be and hereby are rezoned from RA-Apartment District to C-Retail Business District, and BE IT FURTHER

RESOLVED that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT-NEXT PAGE

PROOF OF PUBLICATION



Publishers Of:

**Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee**

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ~~ERIE~~



.....George J. Measer.....
being duly sworn, deposes and says that he is the
.....Publisher..... of the
.....Cheektowaga Bee....., a
public newspaper published at
.....Williamsville....., New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for1..... weeks, the first
insertion being on the 10th day ofMay.....,
19.....79, and the last insertion being on the same.....
day of, 19......

Subscribed and sworn to before me this 10th day
of May, 1979

Susan Schase

Notary Public in and for Erie County

SUSAN SCHASE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980.

Form No.

PROOF OF PUBLICATION



Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE

ss.

Cheektowaga Bee May 10, 1979 Page 11

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 7th day of May,
1979 at 7:00 o'clock P.M. Eastern
Daylight Savings Time there
were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson,
Jr.

Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner
ABSENT: 0

Motion by Councilman Wegner
Seconded by Councilman Kacz-
marek.

WHEREAS, Peter Santin has
applied for a rezoning from RA-
Apartment District to C-Retail
Business District on property
located at 1385 French Road,
Cheektowaga, New York, and
being more particularly described
as follows:

ALL THAT PARCEL OF
LAND SITUATE in the Town of
Cheektowaga, County of Erie,
State of New York, and being part
of Lot 42, Township 10, Range 7,
and being described as follows:

BEGINNING AT A POINT at
the intersection of the south line of
French Road and the west line of
Slate Drive; thence south along
the west line of Slate Drive 50.00
feet to a point of curve; thence
continuing along the west line of
Slate Drive on a curve to the left,
whose radius is 294.01 feet, 91.47
feet to a point; thence west along a
line parallel to the south line of
French Road 159.11 feet to a point;
thence north along a line that
forms a right angle with the last
mentioned line, 140.00 feet to a
point in the south line of French
Road; thence at right angles east
along the south line of French
Road 145.00 feet to THE POINT
OF BEGINNING and to amend
the Zoning Map and Ordinance
accordingly, pursuant to Section
10-00 of the Zoning Ordinance of
the Town of Cheektowaga, New
York, and

WHEREAS, a public hearing
was held before the Cheektowaga
Town Board on the 19th day of
March, 1979 at 6:30 o'clock P.M.
Eastern Standard Time after
publication of the notice as re-
quired by the provisions of the
Town Ordinance and the Town
Law of the State of New York and
all interested parties were given
an opportunity to be heard at said
hearing, and

WHEREAS, the requirements
of Section 6-011, paragraphs (b)
and (c), Section 6-05, paragraph
(c), and Section 6-10 of the Town
Zoning Ordinance dealing with

the screening of the adjacent
residential area should be compl-
ied with, and

WHEREAS, it appears that the
proposed rezoning would not in-
terfere with the use and enjoy-
ment of the surrounding area by
the owners or occupants thereof,
now, therefore, BE IT

RESOLVED that said rezoning
is granted subject to the owner
complying with the provisions of
Section 6-011, paragraphs (b) and
(c), Section 6-05, paragraph (c),
and Section 6-10 of the Town
Zoning Ordinance wherein the
premises must be properly
screened along the boundary line
between subject premises and
adjacent residential properties,
and BE IT FURTHER

RESOLVED that the above
described premises be and hereby
are rezoned from RA-Apartment
District to C-Retail Business Dis-
trict, and BE IT FURTHER

RESOLVED that the Zoning
Map in the Town Clerk's Office be
changed accordingly.

Upon roll call - Supervisor
Meyers, Voting AYE; Councilman
Swiatek, Voting AYE; Council-
man Johnson, Voting AYE; Coun-
cilman Dux, Voting AYE; Council-
man Kaczmarek, Voting AYE;
Councilman Burst, Voting AYE;
Councilman Wegner, Voting
AYE.

AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

I, RICHARD M. MOLESKI,
Town Clerk of the Town hereinaf-
ter described, DO HEREBY CER-
TIFY as follows:

1. A regular meeting of the
Town Board of the Town of
Cheektowaga, a town located in
the County of Erie, State of New
York, was duly held on May 7th,
1979, and minutes of said meeting
have been duly recorded in the
Minute Book by me in accordance
with law for the purpose of record-
ing the minutes of meetings of
said Board, and such minutes
appear at item No. 7, 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 at-
tended said meeting.

IN WITNESS WHEREOF, I
have hereunto set my hand and
have hereunto affixed the corpo-
rate seal of said Town, this 8th
day of May, 1979

(SEAL)
Richard M. Moleski
Town Clerk
May 10

George J. Measer

being duly sworn, deposes and says that he is the

Publisher

Cheektowaga Bee

Williamsville

notice of which the annexed printed slip taken from

therein once a week for 1 weeks, the first

insertion being on the 10th day of May

19 79, and the last insertion being on the same

day of , 19

Subscribed:

of

Notary Put

SUS
REC
SUB
My

March 30, 1979

Item No. 8 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Whitmier & Ferris Co., Inc. has requested permission to erect two advertising signs, one at 615 Dingens Street and another at 2567 Union Road in the Town, pursuant to Article III, Section 3-01A of the Zoning Ordinance of the Town of Cheektowaga, and

WHEREAS, the applications were referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has made a recommendation on said sign applications, now, therefore, BE IT

RESOLVED that Whitmier & Ferris Co., Inc. be and is hereby denied permission to erect the following signs:

615 Dingens Street - South side, 655 feet east of So. Rossler Street adjacent to the Lehigh Valley Railroad overpass - a 12 ft. by 25 ft. billboard

2567 Union Road - East side of Union Road approximately 400 feet north of Losson Road - a 12 ft. by 25 ft. billboard.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

Item No. 9 Motion by Councilman Wegner, seconded by Councilman Dux

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967 be held on the 21st day of May, 1979 at 7:00 P.M., Eastern Daylight Savings Time 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 amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA BEE, on the 10th day of May, 1979; said amendment being set forth in the Notice of Hearing.

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 21st day of May, 1979 at 7:00 P.M., Eastern Daylight Savings Time to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking.

- | | | |
|---------------|------------|---|
| HIGHVIEW ROAD | West side: | from No. 102 southerly to No. 126 HIGHVIEW ROAD |
| HIGHVIEW ROAD | West side: | from SOUTHGATE ROAD to CLEVELAND DRIVE |

Section 102 is amended by adding thereto the following:

Item No. 9 Cont'd.

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking.

HIGHVIEW ROAD West side: from north curb line of
SOUTHGATE ROAD to west property
line of No. 126 HIGHVIEW ROAD.

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

Dated: May 7, 1979

RICHARD M. MOLESKI
TOWN CLERK

* * * * *

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT-NEXT PAGE

PROOF OF PUBLICATION

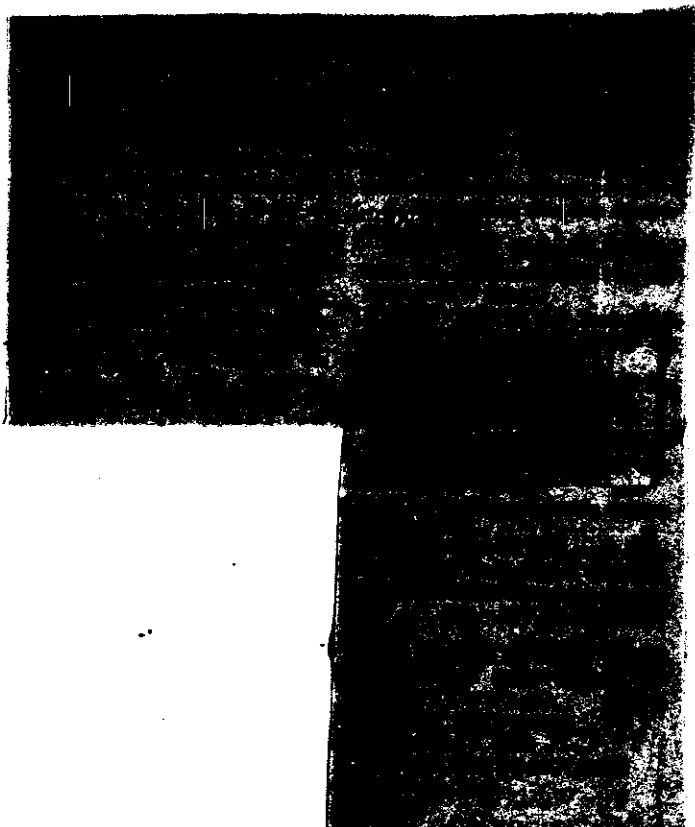


Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.



.....George J. Measer.....
being duly sworn, deposes and says that he is the
.....Publisher..... of the
.....Cheektowaga Bee....., a
public newspaper published at
.....Williamsville....., New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for1..... weeks, the first
insertion being on the 10th day ofMay.....,
19 79, and the last insertion being on the same
day of, 19.....

Subscribed and sworn to before me this 10th day
of May, 19 79

Susan Schasel *Susan Schasel*

Notary Public in and for Erie County

SUSAN SCHASEL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

BE IT RESOLVED that the County of Erie be and hereby is requested to investigate the possibility of establishing a School Speed Limit on William Street, in the vicinity of St. Josephat's and Theodore Roosevelt schools, as requested by the Cheektowaga Traffic Safety Commission and Mr. M. Chmura, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that the Town Clerk forward a certified copy of this resolution to the office of Kenneth L. Reitmeier, P.E., Deputy Commissioner of Highways of Erie County, 95 Franklin Street, Buffalo, New York.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, a public hearing was held on the 18th day of April, 1979 pursuant to Section 64, Subdivision 7 of the Town Law of New York for the purpose of considering and hearing all persons interested in the petition of GREYHOUND LINES, INC. for a bus route in and along the following highways in the Town of Cheektowaga, to wit:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Kensington Expressway (N.Y. T. 33)	City of Buffalo-Town of Cheektowaga Line	Genesee Street
Genesee Street	Kensington Expressway	Airport Access Road
Airport Access Road	Genesee Street	West Airport Terminal
Airport Road	West Airport Terminal	East Airport Terminal
Airport Access Road	East Airport Terminal	Genesee Street
Genesee Street	Airport Access Road	Transit Road (N.Y. Rt. 78)
Transit Road	Genesee Street	Town of Cheektowaga- Town of Amherst Line

and

WHEREAS, all interested persons were heard and no objection was raised to the operation of a bus route on the above cited roads, now, therefore, BE IT

RESOLVED that GREYHOUND LINES, INC. be and is hereby given local consent to operate a bus route in and along certain public streets in the Town of Cheektowaga as more particularly set forth above, and BE IT FURTHER

RESOLVED that two certified copies of this resolution be forwarded to Greyhound Lines, Inc., Greyhound Tower, Phoenix, Arizona 85077.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

PROOF OF PUBLICATION



Bee Publications Inc.

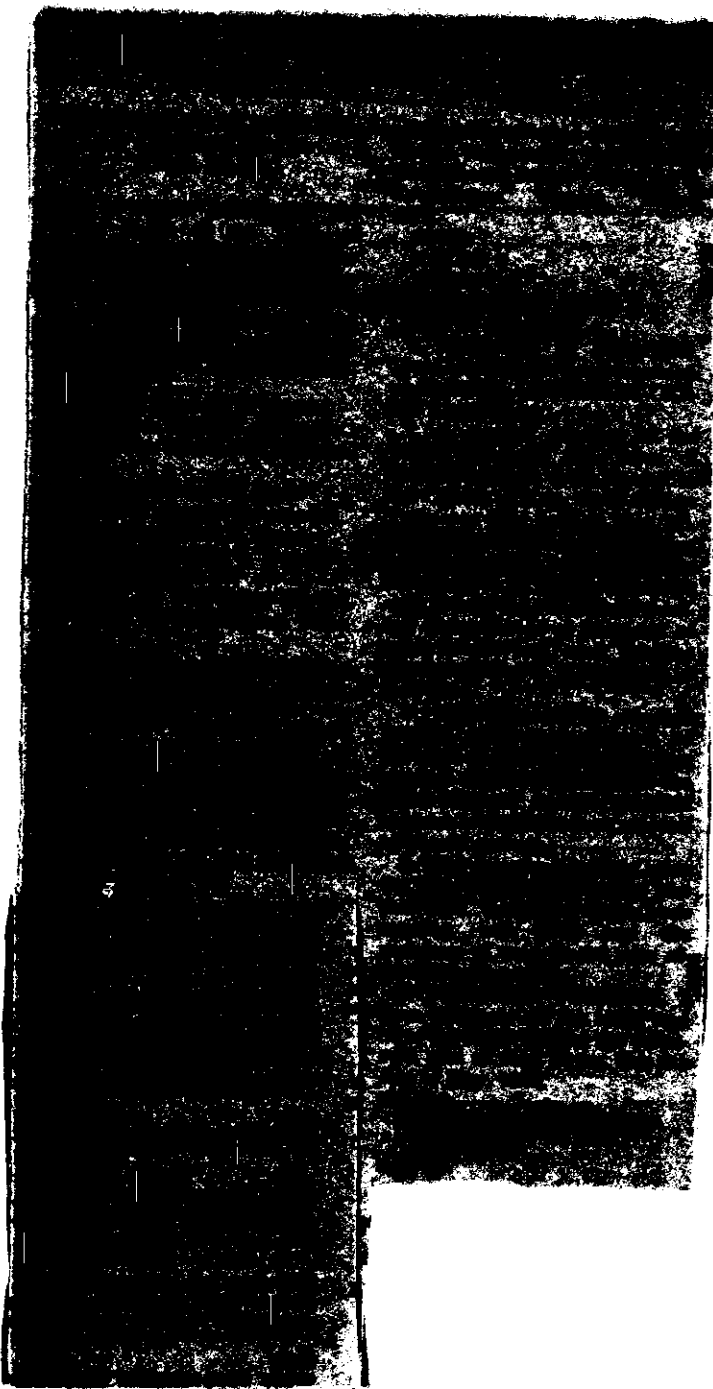
Publishers Of:

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Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE

ss.



.....George J. Measer.....
being duly sworn, deposes and says that he is the
Publisher..... of the
Cheektowaga Bee....., a
public newspaper published at
Williamsville....., New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for1..... weeks, the first
insertion being on the 10th day of May.....,
19 79, and the last insertion being on the same.....
day of, 19..... .

Subscribed and sworn to before me this 10th day

of May, 19 79

Susan Schasel Susan Schasel

Notary Public in and for Erie County

SUSAN SCHASEE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

PROOF OF PUBLICATION



Bee Publications Inc.

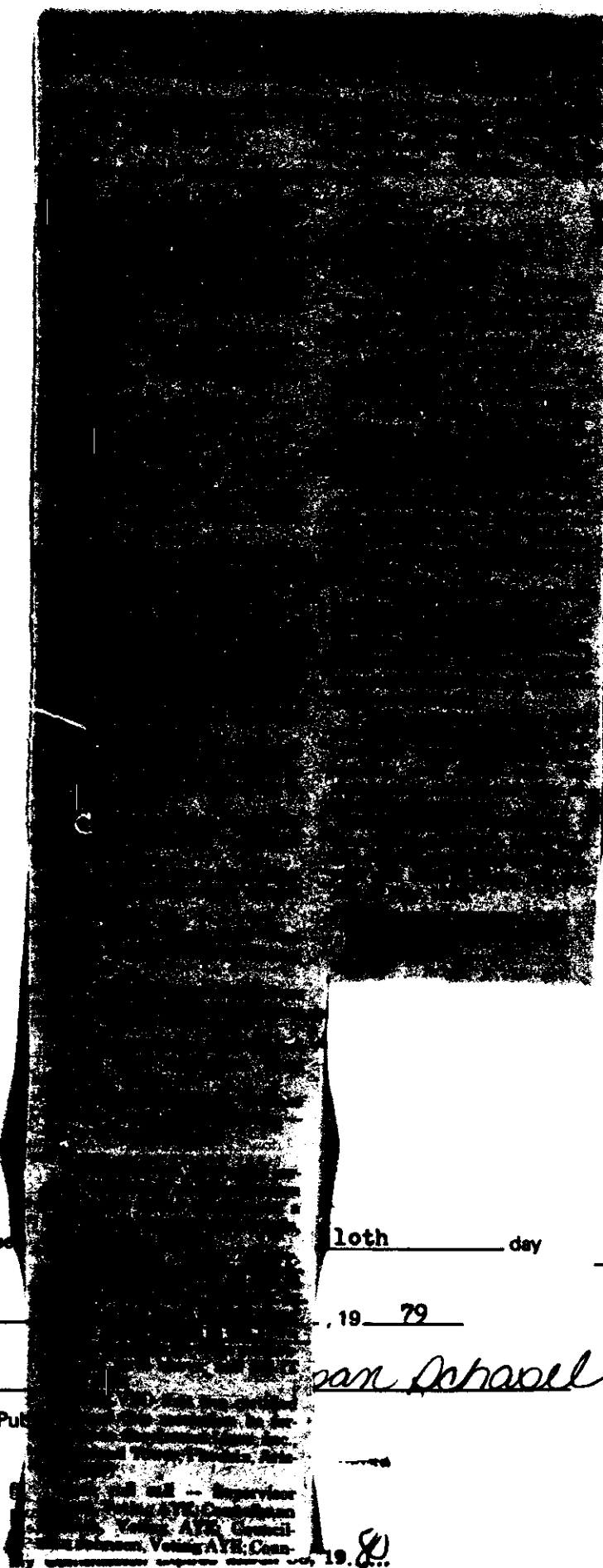
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insertion being on the 10th day ofMay.....,
19.....79, and the last insertion being on the same....
day of, 19......

Subscriber..... 10th day

of....., 19..... 79

Notary Public..... van Schapel

Notary Public for the State of New York
My Commission Expires on.....
I am duly qualified to perform the duties of a Notary Public for the State of New York.
Notary Public for the State of New York
My Commission Expires on.....
I am duly qualified to perform the duties of a Notary Public for the State of New York.
Notary Public for the State of New York
My Commission Expires on.....
I am duly qualified to perform the duties of a Notary Public for the State of New York.

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, a 1978 Chevrolet automobile owned by the Town of Cheektowaga, and used and operated by the Town of Cheektowaga Police Department, was damaged in an automobile collision on March 12, 1979, when it was struck by an automobile owned and operated by one Wilbert A. Wentland, and

WHEREAS, the insurance company for said Wilbert A. Wentland has offered to pay the sum of \$84.28 to the Town of Cheektowaga, which sum is 50% of the amount of damage sustained by the Town's automobile, and

WHEREAS, Assistant Chief of Police, John B. Gruber, has investigated the happening of said accident and recommends that the said \$84.28 settlement offer be accepted, now, therefore, BE IT

RESOLVED that the \$84.28 settlement offer made by the insurance company for Wilbert A. Wentland, in full payment of the property damage sustained by the Town of Cheektowaga in the property damage accident of March 12, 1979, be and hereby is accepted; and, if necessary the Supervisor is hereby authorized to sign any release forms which may be necessary to affectuate such settlement.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town Board has previously retained the lawfirm of Kavinoky, Cook, Sandler, Gardner, Wisbaum and Lipman in the matter of obtaining easements for various Town projects, and

WHEREAS, said lawfirm has prepared and will be preparing Offers to Purchase in connection with condemnation proceedings to obtain said easements, now, therefore, BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign said Offers to Purchase on behalf of the Town.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Real Estate Division of the New York State Department of Transportation is now taking steps to acquire or occupy property for Harlem Road Project S.H. 9381, and

WHEREAS, the Town has received an Agreement of Adjustment pursuant to Section 30 of the Highway Law and the Eminent Domain Law, concerning Town owned property, namely, the bed of Aris Avenue, now, therefore, BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign said Agreement of Adjustment regarding Harlem Road Project S.H. 9381, on behalf of the Town.

*See next few pages for copy of agreement.

P.I.N. 5268.00.222 AGREEMENT OF ADJUSTMENT

Project S.H. 9381, Harlem Road

Map No. 200 Parcel No(s) 183 P.E. County Erie

Map No. _____ Parcel No(s) _____ Town Cheektowaga

Map No. _____ Parcel No(s) _____ City or Village _____

THIS AGREEMENT, made this 7th day of May, 1979, between

TOWN OF CHEEKTOWAGA
Town Hall
Broadway and Union Roads
Cheektowaga, New York 14227

hereinafter referred to as "Claimant" and the COMMISSIONER OF TRANSPORTATION FOR THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the State," pursuant to Section 30 of the Highway Law and the Eminent Domain Procedure Law, as amended,

WITNESSETH:

WHEREAS, pursuant to the aforementioned statute, the State is appropriating or has appropriated, for the purpose of the above identified project, certain property shown and described on the above designated map(s); and

WHEREAS, the Claimant was, at the time of said appropriation, the owner of the property affected by said appropriation or of some right, title or interest therein;

NOW, THEREFORE, it is understood and agreed by and between the parties as follows:

1. The compensation to be paid by the State for the total value of the property so appropriated and for all legal damages caused by such appropriation, including all damages incurred by virtue and during the pendency of said appropriation proceedings, and including all damages to the remainder of said affected property, if any, of which the appropriated area formed a part, whether caused by said appropriation or by the use of said appropriated property, excepting the aggregate value, if any, of claims hereinafter specifically excluded, is the sum of

One Dollar ~~-----~~ (PAYMENT WAIVED) P.M.H.

----- DOLLARS (\$ 1.00 P.W.)

2. The Claimant agrees, as a prerequisite to such payment, to execute and deliver or cause the execution and delivery to the Attorney General of all formal papers which the Attorney General deems necessary to authorize payment and to secure to the State a full release of all claims by reason of the aforementioned appropriation and by reason of any estate or interest in the streams, lakes, drainage and irrigation ditches or channels, streets, roads, highways, or public or private rights of way, if any, adjacent to or abutting on the above mentioned property required for the purposes of said project.

3. The aforesaid compensation is to be paid hereunder only upon approval of this Agreement by the Comptroller of the State of New York and upon certificate of the Attorney General of the State of New York as required by law.

4. This Agreement is exclusive of the claims, if any, of persons other than owners of the appropriated property, their tenants, mortgagees and lienors, having any right or interest in any stream, lake, drainage and irrigation ditch or channel, street, road, highway, or public or private right of way, or the bed thereof, within the limits of the appropriated property or contiguous thereto.

5. This Agreement is also exclusive of claims, if any (other than the claim of Claimant), for the value of or damage to easements and appurtenant facilities for the construction, operation and maintenance of publicly owned or public service electric, telephone, telegraph, pipe, water, sewer and railroad lines.

6. The amount agreed upon herein as compensation shall be binding and conclusive on the parties in any action or proceeding with relation to the aforesaid appropriation as representing the total value of the property so appropriated, together with all legal damages caused by or consequent upon such appropriation, as aforesaid.

7. Interest will be paid on the cash consideration herein provided for according to the conditions in ROW 21 INT. - Supplement to Agreement - attached and made a part hereof.

8. This agreement is exclusive of claims, if any, for payment of allowable moving expenses of owners, occupants or tenants of residential and commercial property and is also exclusive of any claims of liability for payment of real property taxes, water and sewer rents, levies or charges paid or payable to a taxing entity as provided for by the above designated statute.

THIS AGREEMENT shall inure to the benefit of and bind the distributees, legal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

(Witness) John C. Fennell, Town Attorney (Claimant) TOWN OF CHEEKTOWAGA
 (Address) Cheektowaga Town Hall, Cheektowaga, N.Y.
 (Witness) _____ BY Kenneth J. Meyer
 (Address) _____ ITS: SUPERVISOR
 (Witness) _____
 (Address) _____
 (Witness) _____
 (Address) _____

COMMISSIONER OF TRANSPORTATION
 FOR THE PEOPLE OF THE STATE OF NEW YORK

By _____
 Director, Real Estate Division

SPACES BELOW FOR OFFICE USE ONLY

<p>Accounting Bureau</p>	<p>Dept. of Audit & Control</p> <p>APPROVED _____</p> <p>_____</p> <p>for the State Comptroller</p> <p>LAND CONTRACT NO. _____</p>
--------------------------	--

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REAL ESTATE DIVISION
PROPERTY ACQUIRED BY APPROPRIATION

SUPPLEMENT TO AGREEMENT

NEGOTIATED SETTLEMENTS: Interest at the rate of four percent (4%) to August 1, 1966 and six per cent (6%) per annum thereafter will be paid by the State on either Agreements of Adjustment or Agreements for Advance Payment on the following conditions:

Interest shall accrue on all such claims.

1. Upon the date of entry on the property for construction purposes when title has not vested by the filing of the appropriation map in the County Clerk's Office; or
2. Upon the date of vesting of title to property when entry for construction purposes has not been effected.

SUSPENSIONS: Such interest will be paid on Agreements of Adjustment and Agreements for Advance Payment from such dates, whichever is earlier, to the date of payment of the claim except as follows:

- A. Provided an acceptable agreement had not been delivered to the State, interest shall be suspended as follows:
 - [1] For claims accruing by vesting of title prior to July 2, 1971, six (6) months after title vesting unless a claim had been filed pursuant to the Court of Claims Act.
 - [2] For claims accruing by the vesting of title on or after July 2, 1971, six (6) months after the personal service of the Notice of Appropriation, Map and Description upon claimant, unless a claim had been filed pursuant to the Court of Claims Act.
- B. Provided the amount of claim had not been agreed upon, and claimant failed or refused to sign an Agreement for Advance Payment of the value of the claim as determined by the Commissioner, interest shall be suspended on the amount of the claim so offered either:
 - [1] from the date of Claimant's refusal, or
 - [2] the date ninety (90) days after notification by the Commissioner of such offer by registered mail, or
 - [3] the date six (6) months after title vesting or personal service, whichever is applicable under A above, unless a claim had been filed pursuant to the Court of Claims Act,whichever of dates [1], [2], or [3] is earlier to the date claimant subsequently accepts such offer of Advance Payment and delivers an acceptable Agreement to the State.
- C. Interest shall be suspended from the expiration of ^{ninety} ~~thirty~~ (90) days after either:
 - [1] the date of the approval of the Agreement by the Comptroller if over \$2500 or the approval by the Commissioner of Transportation if \$2500 or under, or
 - [2] the date of delivery of closing papers to claimant,whichever date is later, and shall remain suspended until the Attorney General is presented with all proper proofs, instruments and vouchers in satisfactory form which he requires in order to authorize payment of the claim.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
REAL PROPERTY DIVISION

OFFER OF SETTLEMENT AND SUMMARY
OF APPRAISED COMPENSATION

APR 17 1979

P.L.N. 5268.00.222 PROJECT S.H. 9381, Harlem Road

MAP(S) 200 PARCEL(S) 183 P.E.

TO: TOWN OF CHEEKTOWAGA (BED OF ARIS AVENUE).

The State has had your property appraised to determine the amount of money necessary to compensate you for the land to be acquired or occupied and all legal damages caused to any remainder.

For your better understanding the following is a summary of the appraisal and the total amount offered as just compensation:

1. Direct Damages -- Value of all that property within the taking area	\$ 1.00 P.W.
2. Indirect Damages -- Loss of value to remaining property outside the taking area	\$
3. Cost to Cure -- See explanation below	\$
4. Rental Value of Temporary Occupancy	\$
5. Benefits to Remainder Property (Note: Benefits may only be offset against indirect damages.)	\$
6. Total Damages -- Just Compensation	<u>\$ 1.00 P.W.</u>

The following improvements within the appropriated area are included in item 1 above:

Bed of Aris Avenue

Explanation of the cost to cure included in item 3 above:

The Right of Way Agent makes every effort to assist you in realizing all the benefits to which you are entitled. If you have any questions whatever, please contact him. His job is to serve you.

ROW 265a (8/71)

Item No. 14 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Anthony Scaccia has made application and requested the rezoning of property located at 575 French Road, Cheektowaga, New York from R-Residential District to C-Retail Business District, said applicant being the owner of property aforementioned, NOW THEREFORE BE IT

RESOLVED that a public hearing be held regarding said request under the provisions of the Zoning Ordinance on May 21, 1979 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT-NEXT PAGE

PROOF OF PUBLICATION

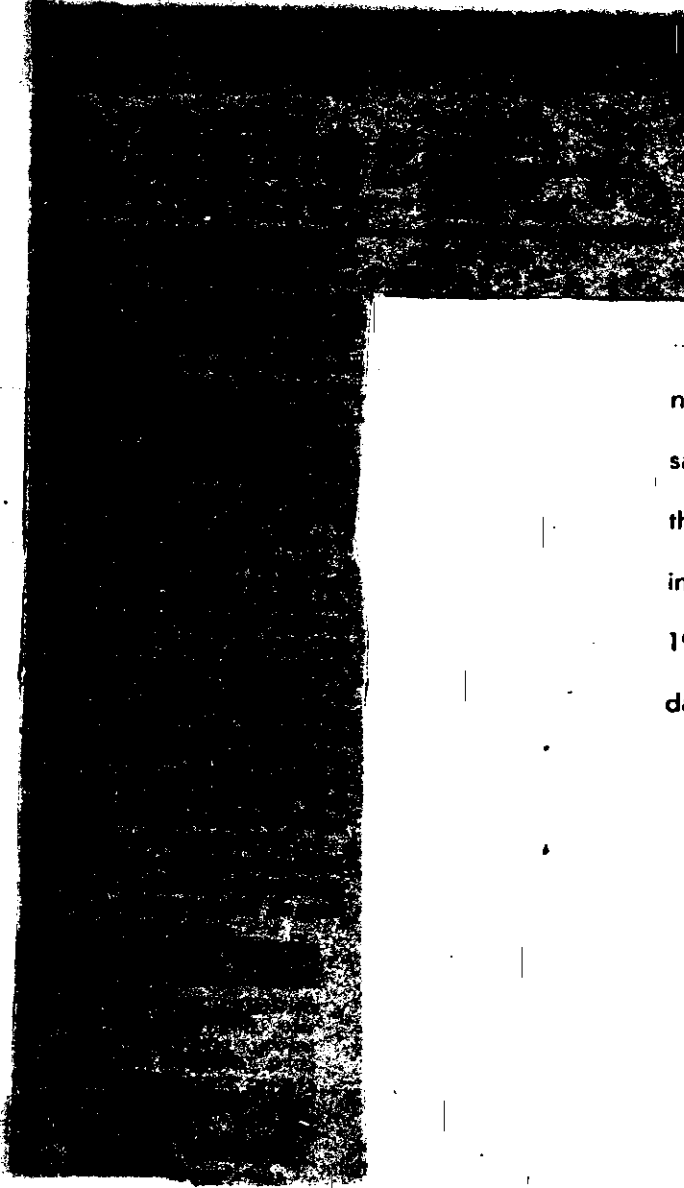


Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
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5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE



George J. Measer
being duly sworn, deposes and says that he is the
Publisher of the
Cheektowaga Bee, a
public newspaper published at
Williamsville, New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for 1 weeks, the first
insertion being on the 10th day of May,
1979, and the last insertion being on the same
day of , 19.

Subscribed and sworn to before me this 10th day
of May, 1979

Susan Schasel *Susan Schasel*

Notary Public in and for Erie County

SUSAN SCHASEL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 16 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on April 2, 1979 for sweeper brooms and push brooms for the Cheek-towaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report have been completed now, therefore, BE IT

RESOLVED that the bids be awarded to the lowest responsible bidder meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof.

*See next two pages for copy of letter and tabulation.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

May 2, 1979

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened and read at the Town Board meeting of April 2, 1979 at 7:00 P.M. for sweeper brooms and push brooms for the Town of Cheektowaga Highway Department. After checking and tabulating the bids, we recommend awarding the bids to the lowest responsible bidders as per attached copy of tabulation.

I trust this meets with your approval.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss

Copies: Richard Moleski, Town Clerk
John Rogowski, Town Attorney
Al Blachowski, Engineering Dept.
Gerry Gabryczak -Council Office
Files

RECEIVED

MAY 2 1979

Richard M. Moleski, Town Clerk

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

RECAP FOR STREET SWEEPER BROOMS & PUSH BROOMS
FOR PERIOD OF APRIL 18, 1979 THRU APRIL 17, 1980

NEWARK BRUSH

YOUNG & SWARTZ

Cable Price

Wrap Tube
Rewind Style

1966 Elgin White Wing #475 Sweeper
Main(Pick Up)Broom No Bid
Side Broom " "

179.00 198.00
62.00

1971 Elgin White Wing #475 Sweeper
Main(Pick Up)Broom No Bid
Side Broom " "

179.00 198.00
62.00

1962 Wayne #890 Sweeper
Gutter Broom-Vertical Digger Type
Pick Up Broom No Bid
 " "

62.00
170.00 188.00

1965 Wayne #990 Sweeper
Gutter Broom No Bid
Pick Up Broom " "

62.00
170.00 188.00

1969, 1970 & 1974 Wayne #984 Sweeper
Gutter Brooms (Regular) No Bid
Gutter Brooms(Throw-Away) 48.41
Pick Up Broom No Bid

62.00
62.00
170.00 188.00

For All Sweepers
Speed sweep broom with compression
lock core
Elgin Core 200.86
Wayne Core 232.32
Big Red 10" Elgin 154.00
" " " Wayne 140.00

Milwaukee Brooms
Wayne
Elgin

188.00
198.00

PUSH BROOMS

14" x 3 3/8 (Inc. Handles)
16" x 3 1/2 (" ")
Handles

Each	Per 1/2 Dz.	Per Dz.
6.95	5.56 ea	4.73 ea.
7.95	6.35 "	5.40 "
2.00	1.60 "	1.38 "

Item No. 16 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the New York State Department of Transportation is reconstructing the bridge and a portion of Broadway in the vicinity of the Cheektowaga Town Hall on a project identified as P.I.N. 5012.12.201, AND

WHEREAS, Broadway, State Highway 914, is a major east-west road which is in need of structural and drainage system improvements throughout its entire length in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board petitions the Commissioner of the New York State Department of Transportation to advance the scheduling of the remainder of the Broadway Improvement Project with special emphasis on the reconstruction of the drainage system along said Broadway as soon as possible, and, BE IT FURTHER

RESOLVED, that the Town Clerk transmit copies of this resolution to the Commissioner of the New York State Department of Transportation, Dale Volker of the New York State Senate and Dennis Gorski of the New York State Assembly.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Walden Avenue area of the Town of Cheektowaga was designated as a neighborhood strategy area for improvements utilizing Community Development Block Grant Funds, AND

WHEREAS, final plans and specifications are required for the construction of a drainage system to serve the Walden Avenue area, NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, is authorized to prepare plans and specifications and to monitor the construction of said storm drainage system, and BE IT FURTHER

RESOLVED, that the retainer fee to be charged and the scope of services to be provided shall be in accordance with the proposal submitted in their letter of April 26, 1979 to the Town Engineer, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to sign said agreement to be dated May 7, 1979, as submitted by the engineering firm of Nussbaumer & Clarke, Inc. on behalf of the Town of Cheektowaga.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

BE IT RESOLVED that Change Order No. 3 for the Autumnwood Drainage Project, Part I, to the John R. Schuler Company, Inc., 5055 Glenwood Drive, Williamsville, New York 14221, in the amount of \$1,875.61 as an addition to the

Item No. 19 Cont'd.

contract as an adjustment of contract quantities to reflect "As Built" measurements as defined in a letter from the Town Engineer dated May 3, 1979 be approved, and,
BE IT FURTHER

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

*See next page for copy of letter.



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200

May 3, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order No. 3
Autumnwood Drainage Project
Part I

Gentlemen:

The engineering firm of Nussbaumer & Clarke, Inc. has submitted a Change Order on the above project and recommend its approval.

Change Order No. 3

This Change Order was required to compensate the contractor to adjust the contract to reflect "As Built" measurements. Each item was verified by the Field Engineer of Nussbaumer & Clarke, Inc. and defined in Exhibit "A" of the Change Order.

Attached is the resolution requesting your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 19 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, Gymnastics Unlimited, Inc. has requested permission from Recreation Director, Edward J. Leak to utilize the "Cheektowaga Recreation Center" located in Town Park, 2600 Harlem Road to conduct, in cooperation with the Cheektowaga Recreation Department, the United States Acro-Gymnastics Junior National Championship, AND

WHEREAS, Gymnastics Unlimited, Inc. has requested the dates of May 12th and May 13th, 1979, AND

WHEREAS, Gymnastics Unlimited Booster Club, Inc. has requested to sell hotdogs, coffee, juices and fruit and accept donations at the door to assist in defraying expenses, AND

WHEREAS, Gymnastics Unlimited, Inc. has submitted a Certificate of Insurance from Eastern Hills Agency, Inc., 8675 Main Street, Williamsville, New York, agent for Hartford Accident & Indemnity to insure: General Liability to include Bodily Injury and Property Damage Combined and Products Liability in the amount of \$500,000.00, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grants to Gymnastics Unlimited, Inc. and Gymnastics Unlimited Booster Club, Inc. exclusive use of the Cheektowaga Recreation Center May 12th and May 13th, 1979 between the hours of 9:00 A.M. and 9:00 P.M., under the guidelines set forth within said resolution.

*See next few pages for Certificate of Insurance and Certificate of Incorporation.

INSURANCE BINDER

Binder No.

79-15



THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

NAME AND ADDRESS OF AGENCY Eastern Hills Agency, Inc. 8675 Main Street Williamsville, New York 14221	COMPANY HARTFORD ACCIDENT & INDEMNITY Effective 12:01 am May 12, 19 79 Expires 12:01 am <input type="checkbox"/> Noon May 14, 19 79 <input type="checkbox"/> This binder is issued to extend coverage in the above named company per expiring policy # (except as noted below)
NAME AND MAILING ADDRESS OF INSURED Gymnastics Unlimited, Inc. 875 Englewood Ave. Kenmore, New York 14225	Description of Operation/Vehicles/Property Cheektowaga Recreational Bldg. 2600 Harlem Road Cheektowaga, New York 14225

	Type and Location of Property	Coverage/Perils/Forms	Amt of Insurance	Ded.	Calc. %
P R O P E R T Y					

	Type of Insurance	Coverage/Forms	Limits of Liability	
			Each Occurrence	Aggregate
L I A B I L I T Y	<input checked="" type="checkbox"/> Scheduled Form <input type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Premises/Operations <input checked="" type="checkbox"/> Products/Completed Operations <input type="checkbox"/> Contractual <input type="checkbox"/> Other (specify below) <input type="checkbox"/> Med. Pay. \$ Per Person \$ Per Accident <input type="checkbox"/> Personal Injury	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Bodily Injury \$ Property Damage \$ Bodily Injury & Property Damage Combined \$ 500,000. Personal Injury \$	\$ \$ \$ \$
A U T O M O B I L E	<input type="checkbox"/> Liability <input type="checkbox"/> Non-owned <input type="checkbox"/> Hired <input type="checkbox"/> Comprehensive-Deductible \$ <input type="checkbox"/> Collision-Deductible \$ <input type="checkbox"/> Medical Payments \$ <input type="checkbox"/> Uninsured Motorist \$ <input type="checkbox"/> No Fault (specify): <input type="checkbox"/> Other (specify):		Limits of Liability Bodily Injury (Each Person) \$ Bodily Injury (Each Accident) \$ Property Damage \$ Bodily Injury & Property Damage Combined \$	\$ \$ \$ \$

WORKERS' COMPENSATION — Statutory Limits (specify states below) EMPLOYERS' LIABILITY — Limit \$

SPECIAL CONDITIONS/OTHER COVERAGES

It is hereby understood & agreed that the insurance does not apply to bodily injury to any person while practicing for or participating in any contest or exhibition of an athletic or sports nature sponsored by the named insured.

NAME AND ADDRESS OF <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> LOSS PAYEE <input checked="" type="checkbox"/> ADD'L INSURED Town of Cheektowaga Recreation Dept. LOAN NUMBER 2600 Harlem Road Cheektowaga, New York 14225	<div style="text-align: right;"> Signature of Authorized Representative </div> <div style="text-align: right;"> 04-20-79 Date </div>
--	--

CERTIFICATE OF INCORPORATION
OF
GYMNASTICS UNLIMITED BOOSTER CLUB, INC.
(UNDER SECTION 402 OF THE NOT-FOR-PROFIT CORPORATION LAW)

ARTICLE I

The name of the corporation is GYMNASTICS UNLIMITED BOOSTER CLUB, INC.

ARTICLE II

This corporation is not organized for pecuniary profit or financial gain, and no part of its assets, income or profit shall be distributable to, or inure to the benefit of its members, directors or officers, except to the extent permitted under the Not-For-Profit Corporation Law.

ARTICLE III

The purposes for which the corporation is to be formed are to promote among its members and the members of the community of Western New York, the area of sports known as ACRO-GYMNASTICS. Members of the corporation shall provide voluntary work and funding necessary to further the purposes of the corporation. The objects of the corporation are to be achieved without pecuniary profit to its members.

ARTICLE IV

The corporation shall be a type B corporation under Section 201 of the Not-For-Profit Law.

ARTICLE V

The office of the corporation is to be located in the Town of Cheektowaga, County of Erie, State of New York.

ARTICLE VI

The activities of the corporation are primarily to be conducted in the County of Erie, State of New York.

ARTICLE VII

The names and addresses of the persons who are to serve as the initial directors are:

James E. Dunn II

Town of Tonawanda, New York 14223

Leonard Klaif

Buffalo, New York 14216

Mindy Butler

Town of Tonawanda, New York
14223

ARTICLE VIII

The post office address to which the Secretary of State shall mail a copy of any notice required by the law is:

2525 Walden Avenue
Cheektowaga, New York 14225


ARTICLE IX

All approvals by the New York Not-For-Profit Corporation Law will be annexed to the Certificate.

ARTICLE X

In the event of dissolution, all of the remaining assets and property of the corporation shall, after necessary expense thereof, be distributed to such organizations as shall qualify under Section 501 (C) (3) of the Internal Revenue Code of 1954, as amended or to another organization to be used in such manner as in the judgment of a Justice of the Supreme Court of New York State will best accomplish the general purposes for which this corporation was formed.

IN WITNESS WHEREOF, this certificate has been signed by the Subscriber the 25 day of April, 1979.


LEONARD KLAIF
Born: June 16, 1948

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

On this 25th day of April, 1979, before me, the Subscriber, personally came LEONARD KLAIF, to me known and known to me to be the

individual described in and who executed the foregoing Instrument, and that he acknowledged that he executed the same.

S/ DAVID GERALD JAY
NOTARY PUBLIC

APPROVAL

I hereby approve the foregoing Certificate of Incorporation and the filing thereof.

S/ JOSEPH S. MATTINA
J.S.C.

Item No. 20 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, there currently exists a vacancy for the position of "Detective" in the Cheektowaga Police Department, NOW, THEREFORE, BE IT

RESOLVED that Officer Stanley Dynowski, currently assigned as "Acting Detective" in the Police Department, be and hereby is appointed to the position of Detective, at a salary in accordance with the current agreement between the Town of Cheektowaga and the Cheektowaga Police Club; said appointment effective immediately.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that the following individual be hired to work for the Cheektowaga Youth Bureau with the title and salary established the same as for the year 1978, and hereafter set forth as follows. Said salary shall be subject to further adjustment at a later date, taking into consideration current ongoing negotiations with the Town's four bargaining units:

WORK EXPERIENCE PROGRAM - A.7310.162
(at the rate of \$2.65 per hour)

Mark J. Masse - Dog Kennel

Cheektowaga, NY 14225

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Facility Department - Hiring of seasonal laborers; Sewer Maintenance - Hiring of seasonal laborer.
Item Withdrawn.

Item No. 24 Sanitation Dept. - Hiring of seasonal laborers, as replacements for vacations.
Item Withdrawn.

Item No. 25 Motion by Supervisor Meyers, seconded by Councilman Dux

BE IT RESOLVED that Arnold F. Kogut of _____, Cheektowaga, New York, be and hereby is re-appointed as a member of the Board of Assessment Review for a term of five (5) years, effective May 7, 1979 through May 7, 1984, and BE IT FURTHER

RESOLVED that Sally A. Vastola of _____, Cheektowaga, New York be and hereby is appointed as a member of the Board of Assessment Review to fill a vacancy effective May 7, 1979 through May 7, 1981.

Item No. 25 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, John Nowicki, laborer in the Town of Cheektowaga Facilities Department has requested a six month leave of absence without pay for health reasons, and

WHEREAS, said employee has exhausted all of his sick leave, vacation days and personal days, NOW, THEREFORE, BE IT

RESOLVED that said John Nowicki be and hereby is granted a six month leave of absence, without pay, for health reasons, effective May 7, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be granted a leave of absence from May 26th through June 9th, 1979 to attend active duty training with the United States Army Reserve at Fort Leonard Wood, Missouri.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the New York State Department of Environmental Conservation is offering Laboratory Testing and Analysis Courses, which training is essential for the proper operation of the Town Wastewater Monitoring Program, NOW, THEREFORE, BE IT

RESOLVED, that the following Grade II Operators be authorized to attend the Laboratory Testing and Analysis Basic Parameters for Municipal Effluents Course on May 14th through May 18th, 1979 and the Laboratory Testing and Analysis Nutrients Course on May 21st through May 25th, 1979:

Walter Mika

Thomas Skowronski

and, BE IT FURTHER

RESOLVED that the \$150.00 registration fee per trainee, per course, are authorized and that the total cost for mileage and meals for said training courses is not to exceed \$65.00 per employee. The costs are to be chargeable to Sanitary Sewer District No. 5.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Swiatek

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

*See next three pages for fund transfers.

TOWN OF CHEEKTOAGA, NEW YORK

BUDGET TRANSFER REQUEST

Community Development
Department

April 19, 1979
Date

C.D.B.G. Fund

FROM

TO

Account	Title	\$	Account	Title
	Contingency (Local Option) 1978	1250.00		Oehman-Rosary Drainage Project
	Contingency (Local Option) 1978	18.00		Marrano-Kelly Park Drainage Project

Kenneth J. Meyer
Signature

Explanation Amount due for engineering fees.

TOWN OF CHEEKTONAGA, NEW YORK

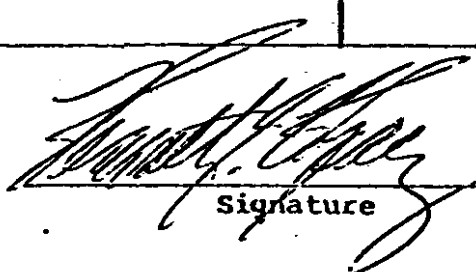
BUDGET TRANSFER REQUEST

YOUTH BUREAU
Department

MAY 2, 1979
Date

GENERAL Fund

<u>From</u>			<u>To</u>	
<u>Account No.</u>	<u>Title</u>	<u>\$</u>	<u>Account No.</u>	<u>Title</u>
7310.400	Office Supplies	\$1,000.00	A.7310.411	Postage


Signature

Explanation The New York State Division for Youth has approved an addition to our budget for postage in the amount of \$1,000.00. Although we had never received State aid reimbursement for postage in the past; we will now be eligible to claim 50% of the \$1,000.00 for such expended amounts. In order to make this reimbursement possible, we will need a new line-item added to our budget.

TOWN OF CHEEKTOWAGA, NEW YORK
BUDGET TRANSFER REQUEST

FACILITY

APRIL 19, 1979

Department

Date

A 7110 Fund

FROM

TO

Account	Title	\$	Account	Title
A7110.445	BUILDINGS & GROUNDS MAINTENANCE & REPAIR	\$12,800.00	A7110.444	PORTABLE CHEMICAL TOILETS

James J. Matich
Signature

Explanation TRANSFER REQUESTED FOR THE CREATION OF A NEW ACCOUNT TO IDENTIFY THIS AREA OF THE FACILITY DEPARTMENT BUDGET. IN PREVIOUS YEARS, A MISUNDERSTANDING OF HOW THE FUNDS IN THE MAINTENANCE AND REPAIR BUDGET WERE UTILIZED. BY CREATING A NEW ACCOUNT FOR PORTABLE CHEMICAL TOILETS, INDIVIDUALS QUESTIONING THE MAINTENANCE AND REPAIR BUDGET WILL CLEARLY SEE THAT THIS ACCOUNT DOES NOT REFLECT FUNDS FOR ANY PARK IMPROVEMENTS.

Item No. 29 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA be and the same are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NO.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	10296,	10298-10523	\$ 769,131.85
GENERAL FUND-INVESTMENTS			900,000.00
SPECIAL DIST. FUND	5824-5894		267,298.15
HIGHWAY FUND	4441-4444, 4446-4495		75,220.86
HIGHWAY FUND-INVESTMENTS			100,000.00
PART TOWN FUND	1141-1166		8,595.77
FEDERAL REVENUE SHARING FUND	93,	103-118	459,870.49
TRUST AND AGENCY FUND	650-656		336,225.21
CAPITAL FUND	193-200		516,015.13
TOWN HALL E.D.A. FUND	31-32		7,314.31
DEBT SERVICE FUND	47		111,000.00
SPECIAL ASSESSMENT FUND	15		1,665.00
H.U.D.-C.D.B.G. FUND	150-155		<u>21,313.27</u>
			<u>\$3,573,650.04</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

IV. GENERAL COMMUNICATIONS

Item No. 31 Summons & Complaint - John N. Michalik vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, John V. Rogowski-Town Attorney, Jim Matecki-Director of the Facilities Department and Town Insurance Company; item received and filed.

Item No. 32 Notice of Claim - Neal R. Halas vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, John V. Rogowski-Town Attorney, Alfred Wnek-Highway Superintendent and Town Insurance Company; item received and filed.

Item No. 33 Notice of Claim - John W. Ferry vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, John V. Rogowski-Town Attorney, Alfred Wnek-Highway Superintendent and Town Insurance Company; item received and filed.

Item No. 34 N.Y.S. Dept. of Transportation - Notice of Order establishing a stopping prohibition at bus stop on Genesee St. and Alpine Place.
Item referred to Honorable Members of the Town Board, Theodore DeFedericis-Chief of Police, Captain Robert Lis and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 35 N.Y.S. Dept. of Transportation - Correspondence re: Speed limit on Como Park Boulevard.
Item referred to Honorable Members of the Town Board, Theodore DeFedericis-Chief of Police, Captain Robert Lis and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 36 N.Y.S.-D.O.T., Real Estate Division - Correspondence re: Acquisition of property from Town of Cheektowaga for S.H. Project 9381 - Harlem Road.
Item referred to Honorable Members of the Town Board, Andrew Schwenk-Sole Assessor and Chester L. Bryan-Town Engineer; item received and filed.

Item No. 37 N.Y.S. Dept. of Transportation - Notice of public hearing to be held June 5th through June 7th, 1979 re: Petition of Niagara Scenic Bus Lines, Inc. for extension of certificate of public convenience.
Item referred to Honorable Members of the Town Board, Captain Robert Lis and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 38 N.Y.S. Thruway Authority - Correspondence re: Rossler Avenue Bridge.
Item referred to Honorable Members of the Town Board, Jerry Gabryszak-Community Development Coordinator, Alfred Wnek-Highway Superintendent and Cheektowaga Traffic Safety Commission; item received and filed.

Item No. 39 P.M. Dwyer, representing Marywood Homeowners Ass'n. - Request to speak at Town Board meeting re: Newco Landfill on Broadway and Indian Roads.
Item referred to Honorable Members of the Town Board, John V. Rogowski-Town Attorney, Chester L. Bryan-Town Engineer and Ron Zoeller-Sanitation Department Foreman.

Motion by Supervisor Meyers, seconded by Councilman Johnson to Waive the Rules.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

V. SUSPENSION OF RULES

Item No. 40 Town Clerk's Office - Hiring of part-time, summer help.

Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

RESOLVED that the following individuals be hired as part-time, summer help in the office of the Town Clerk at the rate of \$2.90 per hour:

Amy Miller, , Cheektowaga, New York
Elizabeth Koblich, , Depew, New York
Dawn Dickinson, , Cheektowaga, New York

Item No. 40 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 41 Resolution re: Payments in lieu of taxes for special and real services rendered to Greater Buffalo International Airport.

Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Cheektowaga Town Board and various Department heads have held several meetings in the recent past with members of the Niagara Frontier Transportation Authority relative to discussing, negotiating and effectuating assessments for sanitary and storm sewer taxes, and/or rental agreements in lieu thereof, and renewing or initiating police protection contracts between the Niagara Frontier Transportation Authority and the Cheektowaga Police Department for protection of the airport premises, AND

WHEREAS, said meetings have resulted in complete stalemates, and without any projections scheduled for future negotiations, AND

WHEREAS, the Niagara Frontier Transportation Authority has refused to consider future meetings with the Town Board and certain of its Department heads, AND

WHEREAS, various alternatives for calculating present and future reimbursement for sanitary sewer district services are offered by the Town's fiscal consultants for review by the Niagara Frontier Transportation Authority in the pursuit of a fair and equitable settlement, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office send a final request for a meeting to take place on or before May 25, 1979, and in the event such request is denied, the Town Attorney's Office expeditiously initiate any and all proper legal proceedings to initiate and establish such assessments and compel payment of same; or to compel negotiations for sewer rental use in lieu of payment of taxes; and to compel negotiations and finalization of the police protection contract; and for such further and proper relief as may be deemed proper and necessary.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 42 Motion by Councilman Kaczmarek, seconded by Councilman Swiatek to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of May, 1979 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Julia Reinstein, Town Historian, Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector; T. DeFedericis, Chief of Police; Ed Leak, Recreation Director; Dr. Louis Vendetti, Town Health Officer; Ron Zoeller, Working Foreman in Sanitation.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed. Said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking

HIGHVIEW ROAD West side: from No. 102 southerly
to No. 126 HIGHVIEW ROAD

HIGHVIEW ROAD West side: from SOUTHGATE ROAD
to CLEVELAND DRIVE

Section 192 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking

HIGHVIEW ROAD West side: from north curb line of SOUTHGATE ROAD
to west property line of No. 126 HIGHVIEW ROAD

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision - See Item No. 3.

II. RESOLUTIONS

Item No. 3 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, this Town Board duly held a public hearing on the 21st day of May, 1979 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking

HIGHVIEW ROAD West side: from No. 102 southerly
to No. 126 HIGHVIEW ROAD

HIGHVIEW ROAD West side: from SOUTHGATE ROAD
to CLEVELAND DRIVE

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking

HIGHVIEW ROAD West side: from north curb line of SOUTHGATE ROAD
to west property line of No. 126 HIGHVIEW ROAD

Section 2. Time to take effect.

(a) This amendment 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 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.

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

Section 4. Publication and Posting

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA BEE, a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York, and affidavits of such publication and posting shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Item No. 3 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION



Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE

ss.

.....George J. Measer.....

being duly sworn, deposes and says that he is the
Publisher of the
Cheektowaga Bee, a
public newspaper published at
Williamsville, New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for 1 weeks, the first
insertion being on the 24th day of May
19 79, and the last insertion being on the same
day of, 19.....

Subscribed and sworn to before me this 24th day

of May, 1979

Susan Schasel *Susan Schasel*

Notary Public in and for Erie County

SUSAN SCHASEL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

PROOF OF PUBLICATION



Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,

STATE OF NEW YORK
COUNTY OF ERIE

MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF CHEEKTOWAGA TOWN

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 May, 1979, at 7:00 o'clock P.M. Eastern Daylight Saving Time there were:

- PRESENT:**
- Supervisor - Kenneth J. Meyers
 - Councilman - Frank E. Swiatek
 - Councilman - Thomas M. Johnson, Jr.
 - Councilman - Frank J. Dux
 - Councilman - George Kaczmarek
 - Councilman - James R. Burst
 - Councilman - Donald J. Wegner

ABSENT: 0
Motion by Councilman Wegner Seconded by Councilman Dux
WHEREAS, this Town Board duly held a public hearing on the 21st day of May, 1979 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted July 17, 1967, said hearing was 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X
Parking, Standing and Stopping
Section 102 is amended by deleting therefrom the following:

The parking of vehicles is hereby prohibited in any of the following locations:

- A. No parking this side or one-side parking.
HIGHVIEW ROAD west side: from No. 102 southerly to No. 126 HIGHVIEW ROAD
- HIGHVIEW ROAD west side: from SOUTHGATE ROAD to CLEVELAND DRIVE

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

- A. No parking this side or one-side parking.
HIGHVIEW ROAD west side: from north curb line of SOUTHGATE ROAD to west property

SECTION 3. TERRITORIAL APPLICATION

(a) This amendment shall take effect when properly posted with in 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 this amendment which is 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.

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

Section 4. Publication and Posting.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the Cheektowaga Bee, a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York, and affidavits of such publication and posting shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

- Upon roll call -
- Supervisor Meyers Voting AYE
 - Councilman Swiatek Voting AYE
 - Councilman Johnson Voting AYE
 - Councilman Dux Voting AYE
 - Councilman Kaczmarek Voting AYE
 - Councilman Burst Voting AYE
 - Councilman Wegner Voting AYE
- AYES: 7
NAYES: 0
ABSENT: 0

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on May 21, 1979, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at Item No. 3, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of May, 1979.

(SEAL)
Richard M. Moleski
Town Clerk

may 24

_____ says that he is the
_____ of the

_____ a

_____ Williamsville, New York, that the

_____ of which the annexed printed slip taken from

_____ newspaper, is a copy, was inserted and published

_____ in once a week for _____ 1 _____ weeks, the first

_____ tion being on the 24th day of May _____,

_____ 79, and the last insertion being on the same _____

_____ of _____, 19_____.

Subscribed and:

of May

Susan Schasel *Susan Schasel*

Notary Public in and for Erie County

SUSAN SCHASEL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 4 Decision on Rezoning - 2989 Genesee Street
This item was Withdrawn.

Item No. 5 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, this Town Board duly held a public hearing on the 7th day of May, 1979 to consider the advisability of adoption of proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described, 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:

That this Town Board determine that it is in the public interest to adopt the following proposed improvement of both sides of the public highway situated in the Consolidated Lighting District of the Town of Cheektowaga, hereinafter more particularly set forth, by the installation of street lighting equipment hereinafter more particularly described.

PUBLIC HIGHWAY TO BE IMPROVED

<u>Name of Highway</u>	<u>From</u>	<u>To</u>
Betty Lou Drive (Map cover 2159 & 2160)	Intersection of north street line of North Creek Drive and being the south lines of sublots 1 & 25, Map Cover 2159 & 2160	intersection of south line of Joseph Drive and being the north lines of sublots 121 & 122, Map Cover 2159 & 2160.

TYPE OF STREET LIGHTING INSTALLATION

Install six (6) - 7000 lumen post top units

Estimated cost per year for two years - \$.91 per front foot.
(Total Frontage - \$2,204.80 feet)

and BE IT FURTHER

RESOLVED that this Town Board does hereby decide at such public hearing and upon the evidence given thereat,

(a) that such petition is signed and acknowledged as required by law and is otherwise sufficient, and

(b) that it is in the public interest to grant in whole the relief sought, and BE IT FURTHER

RESOLVED that such petition is hereby approved and the installation of such street lighting equipment along said highway is hereby authorized, and that the Town Board is hereby authorized to purchase and to have installed said street lighting equipment, and BE IT FURTHER

RESOLVED that the Town Clerk shall cause a certified copy of this resolution to be recorded in the office of the Clerk of Erie County, New York, within ten (10) days after the adoption thereof, in conformity with Section 195 of the Town Law.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
 Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 6 Call for public hearing for adoption of Landfill Ordinance
This item was withdrawn.

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, the Town Board of the Town of Cheektowaga has deemed it to be in the best interest of the community to consider the adoption of a "MASS GATHERINGS ORDINANCE", NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 4th day of June, 1979 at 7:00 o'clock P.M., Eastern Daylight Saving Time, at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board members whether a "MASS GATHERINGS ORDINANCE" shall be enacted; and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA BEE, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) nor more than twenty (20) days prior to the date of the hearing.

NOTICE OF HEARING ON PROPOSAL TO ENACT

MASS GATHERINGS ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 21st day of May, 1979, 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 June, 1979 at 7:00 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether a "MASS GATHERINGS ORDINANCE" shall be adopted and enacted; said Ordinance to be for the purpose of preserving the public peace and good order, preventing and suppressing riots, tumultuous assemblages, unnecessary crowds, upon the public highways, unreasonably loud or disturbing noises and disorderly conduct within the Town of Cheektowaga and for the purpose of promoting the health, safety and general welfare of the community, including the protection and preservation of the property of the Town and of its inhabitants and peace and good order. A copy of the proposed "MASS GATHERINGS ORDINANCE" is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 21, 1979

See next six (6) pages for Ordinance

MASS GATHERINGS

Be it enacted by the Town Board of the Town of Cheektowaga as follows:

TITLE.

This law shall be known as the "Mass Gatherings Ordinance."

PURPOSE: APPLICABILITY.

The Cheektowaga Town Board, for the purpose of preserving the public peace and good order, preventing and suppressing riots, tumultuous assemblages, unnecessary crowds upon the public highways, unreasonably loud or disturbing noises and disorderly conduct within the Town of Cheektowaga and for the purpose of promoting the health, safety and general welfare of the community, including the protection and preservation of the property of the town and of its inhabitants and peace and good order, finds that it is in the public interest to enact this ordinance, which shall apply within the Town of Cheektowaga outside of the limits of the Villages of Depew and Sloan.

DEFINITIONS.

Unless otherwise expressly stated, the following terms shall, for the purpose of this ordinance, have the meanings herein indicated. Words in the present tense include the future; the singular number includes the plural; the masculine shall include the feminine; "shall" is mandatory, and "may" is permissive.

BUILDING - a structure wholly or partially enclosed with exterior walls and a roof, of permanent or temporary nature, affording shelter to persons, animals or property.

MASS GATHERING - A gathering of more than one thousand (1,000) persons within a twelve-hour period at a gathering conducted essentially out-of-doors.

PERSON - Any individual, firm, company, association, society, corporation or group.

(2)

STRUCTURE - A combination of materials to form a construction that is safe and stable and includes among other things, stadiums, stages, prop forms, radio towers, sheds, storage bins, tents, billboards, space signs, bleachers, ramps and seats.

PERMIT REQUIREMENTS.

A. No person shall use, allow, let or permit to be used land for a mass gathering, or hold or promote by advertising or otherwise a mass gathering, until a written permit authorizing such mass gathering has been issued by the Cheektowaga Town Clerk, after authorization of such permit by the Cheektowaga Town Board.

B. Application for such permit shall be by verified petition of the applicant, addressed to the Town Board and filed with the Town Clerk, at least sixty (60) days prior to the date of the mass gathering. The Town Board shall act upon the application within forty-five (45) days of such filing. Such application shall include the following information:

- (1) A statement of the name, age and residence address of the applicant, and, if the applicant is a corporation, the names and addresses of its directors and officers. If the applicant does not reside within the Town of Cheektowaga, the application shall state the name and address of an agent who shall be a natural person residing in or having a place of business in Erie County, New York, who is authorized by the applicant and who shall agree by verified statement to accept notices for summonses issued with respect to the application, the conduct of the mass gathering and the provisions of this ordinance.
- (2) A statement containing the name and address of the record owner of the property, and of any persons having the right to occupy said premises or any part thereof under a written lease, license or permit.
- (3) A statement of the proposed dates and hours of such mass gathering, the maximum dates and hours of such mass gathering, the proposed maximum number of persons who will be permitted to attend the mass gathering, the maximum proposed number of motor vehicles which will be permitted at said mass gathering at any one time and in total, the measures and facilities proposed to limit the number of persons attending to the maximum number proposed, the purpose of the mass gathering, the nature of any entertainment to be provided thereat and the names and addresses of any entertainers to be provided by the applicant or its agent and the admission fee to be charged, if any.

- (4). A survey of the premises upon which the mass gathering is to be conducted and of any premises to be used for motor vehicle parking or otherwise in connection therewith, together with a statement of the zoning district of such property, the names and addresses of the record owners of adjoining properties, the abutting streets or highways, showing the size and location of existing and proposed buildings or structures to be used in connection with said mass gathering, together with a statement or drawing to scale of the type and materials of each proposed or existing building or structure.
- (5). A plan or drawing to scale showing the method and manner in which :
 - (a) Sanitary facilities are to be provided for the disposal of sewage, garbage, trash and other debris.
 - (b) The method and manner of providing adequate and suitable off-street parking for motor vehicles for persons attending such mass gathering, including the layout of such parking area or areas, the surface or pavement thereof, the manner of designating parking spaced for individual motor vehicles and access drives, the proposed illumination planned for such areas, a statement of the proposed method of suppressing dust and a description of any maintenance equipment or vehicles.
- (6). A statement containing the type, size, wattage, number and location of any sound amplifier or loudspeaker, sound truck or other similiar sound equipment.
- (7). A statement specifying the method of preparation, service and distribution of any foods and beverages to be prepared, sold or distributed at the mass gathering or in connection therewith by the applicant or his agents or licenses, together with a statement of the method of disposing of garbage, trash, rubbish or any other refuse arising therefrom. If any food or beverage is to be prepared, sold, served, or distributed, a plan or drawing to scale must be attached to the application showing the buildings or structures from which the food or beverage is to be prepared, served, sold or distributed.
- (8). A statement specifying whether any private security guards or police will be engaged and, if so, the number and duties to be performed, including the hours to be worked and areas of responsibility, and their minimum employment qualifications.
- (9). A statement specifying the precautions to be utilized for fire protection, including a plan or drawing to scale specifying the location of fire lanes and water supply for fire control.

- (10). A statement specifying the facilities and personnel to be available for emergency treatment of any person who may require medical or nursing attention.

C. No permit shall be issued until a public hearing has been held by and before the Cheektowaga Town Board to consider such application. At least (10) ten days notice of the time and place of such hearing shall be published in the official newspapers of the Town of Cheektowaga.

D. No permit shall be issued until the Town Board shall find the following:

- (1) The application filed with the Town Clerk contains all of the information and attachments hereinbefore required.
- (2) Toilet facilities adequate in number and suitable in design are proposed for the mass gathering. Such facilities are to be so located as to be conveniently available and shall be so constructed and maintained that they will not be offensive. Such facilities shall be arranged to be separate for each sex.
- (3) Adequate provision is made for the collection and disposal of solid wastes, garbage and trash.
- (4) Adequate provision is made for off-street parking, including an adequate system of access drives with suitable surface or pavement and night illumination of the same with a safe and proper electrical supply and emergency electrical supply for such night illumination.
- (5) Adequate provision is made for the proper disposal of existing and reasonably potential surface water.
- (6) An adequate sound amplification system may be provided which will enable persons attending the mass gathering to hear transmissions therefrom without creating unreasonable noise on properties outside the mass gathering areas.
- (7) The facilities and plans for the preparation, service and distribution of foods and beverages to be sold or distributed at the mass gathering would provide an adequate and sanitary supply of wholesome food to the persons reasonably expected to attend said mass gathering, and the method of disposing of garbage, trash, rubbish and other refuse therefrom is adequate to prevent hazard to health and nuisance on the premises or on adjoining premises.

(5)

- (8) The applicant's plan for providing private security guards or police is adequate in the number of security guards or police to be provided, the minimum employment qualifications of such guards or police and the hours during which the same will be present -at the site of the mass gathering.
- (9) The applicant's outdoor lighting and illumination plan provides necessary lighting on the mass gathering premises without creating unreasonable illumination of adjoining premises and adjoining highways, and such plan includes adequate emergency electrical generating facilities on the premises in the event of a power failure.
- (10) The applicant's plan for emergency medical and nursing treatment is adequate.
- (11) The applicant has made adequate provision for fire prevention and fire protection.
- (12) Adequate provision is made by fencing to protect adjoining properties.
- (13) The mass gathering site is served by public highways sufficient in number and adequate in type and width to prevent unreasonable traffic congestion with the Town of Cheektowaga.
- (14) The proposed mass gathering would not unreasonably interfere with the rights of owners and occupants of adjoining and neighboring lands to reasonably use and enjoy such adjoining and neighboring lands, and such mass gathering would not create a public nuisance.

E. No permit shall be issued until all persons interested in the lands upon which such mass gathering is to be held shall furnish the town with written authorization for the town and its agents to go upon such property at any time from and after the filing of such application and until twenty (20) days after the end of such mass gathering for the purpose of inspecting such premises, the facilities provided and to be provided thereon and the cleaning of said premises and adjoining premises after the termination of the mass gathering. Such authorizations shall be irrevocable during such period.

F. No permit shall be issued until the applicant has executed acknowledged and delivered to the Town of Cheektowaga an agreement, in form approved by the Attorney for the town, to indemnify the town in connection with liability and claims arising from or in connection with such mass gathering.

G. Within five (5) days from the end of such mass gathering, all trash, papers, garbage and other waste material shall be removed

(6)

from the mass gathering premises, and such premises shall be restored to the same condition in which found at the time of the filing with the Cheektowaga Town Clerk of the application for such mass gathering. All trash, papers, garbage and other refuse shall be removed from the public highways within five (5) days of the termination of such mass gathering for a distance to be specified by the Town Board in the permit granted to the applicant.

H. The applicant shall post a bond suitable to the Town Board as to amount and surety to insure cleanup and restoration of the area at which such event takes place.

I. Any permit hereunder may be revoked by the Town Board, upon a finding that the applicant has failed to provide the facilities specified in its application or required by the town or in the event that the town shall find that the facilities to be provided by the applicant cannot be reasonably provided within the time remaining until the scheduled date of the mass gathering.

PENALTIES FOR VIOLATION.

Any person, group of persons, partnership, association, corporation, individually or collectively, who shall violate or aid in, take part in, or assist in the violation of, this law, shall be guilty of a violation and upon conviction, be punished by a fine not exceeding one thousand dollars (\$1,000.00) as to an individual and not exceeding five thousand dollars (\$5,000.00) as to a corporation.

SEVERABILITY.

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

WHEN EFFECTIVE.

This ordinance shall take effect immediately upon adoption, publication and posting as required by law.

Item No. 7 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION

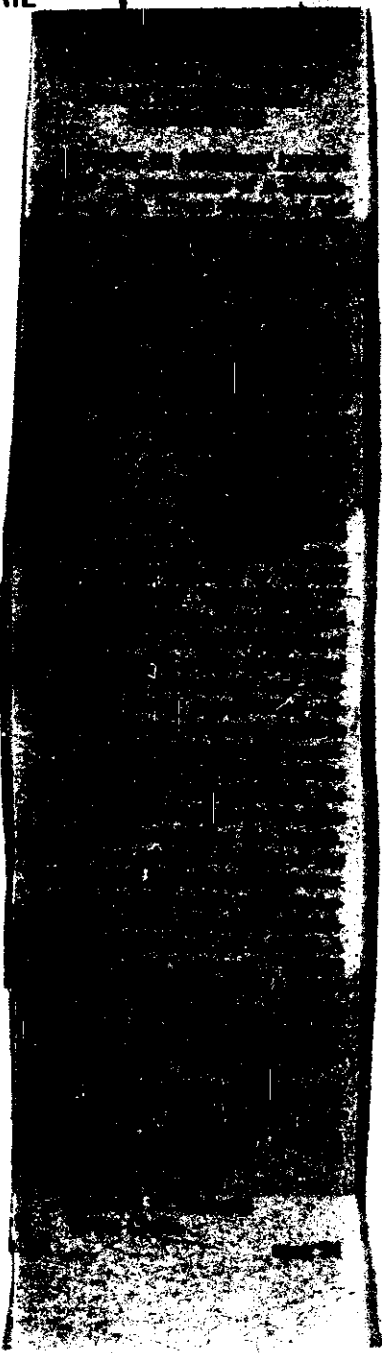
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STATE OF NEW YORK
COUNTY OF ERIE



.....**George J. Measer**.....
being duly sworn, deposes and says that he is the
Publisher..... of the
Cheektowaga Bee....., a
public newspaper published at
Williamsville....., New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for**1**..... weeks, the first
insertion being on the **24th** day of **May**.....,
19 **79**, and the last insertion being on the **same**
day of, 19..... .

Subscribed and sworn to before me this 24th day
of May, 1979

Susan Schasel *Susan Schasel*

Notary Public in and for Erie County

SUSAN SCHASEL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980.

Item No. 8 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has received a Community Development Block Grant award in the amount of \$200,000 from the County of Erie for the purpose of commercial Revitalization on Walden Avenue within the Town, and

WHEREAS, the overall purpose of the Walden Avenue Commercial Revitalization program is the beautification of Walden Avenue and revitalization of the Walden Avenue Business District, and

WHEREAS, Community Development funds may be used for rehabilitation and revitalization of commercial properties, and

WHEREAS, the \$200,000 Community Development Grant received from the County of Erie includes provisions for the award of Facade Improvement Grants to owners of commercial properties along Walden Avenue, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to enter into agreement with the property owners listed below for the puprose of disbursement of Facade Improvement Grants, in sums not to exceed \$1,500.00 per agreement:

Frank E. & Delores M. Cius

AND BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to John Mowatt, Erie County Community Development Director, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....

AYES:	Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES:	0
ABSENT:	0

Item No. 9 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, a letter dated May 15, 1979, has been received from the Niagara Frontier Services, Inc., stating that said Niagara Frontier Services, Inc., elects to extend the terms and conditions set forth in a letter of agreement dated May 17, 1976, a copy of which is attached hereto, for a further period of one year, such one year period to commence from May 17, 1979 and to expire on May 16, 1980, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute the notation on said letter on behalf of the Town of Cheektowaga, a copy of said letter is attached hereto and made a part hereof.

* See next page for letter



Niagara Frontier Services, Inc.

60 DINGENS STREET
BUFFALO, NEW YORK 14206
716/823-3712

May 15, 1979

Town of Cheektowaga
Town Hall, Broadway and Union Road
Cheektowaga, New York

Attention: Mr. Ronald Marten
Building and Plumbing Inspector

Re: Cheektowaga-Maryvale
Recreation Center


Dear Mr. Marten:

Pursuant to the letter agreement dated May 17, 1976, we hereby extend same for an additional year to commence as of May 17, 1979 to May 16, 1980.

It is understood and agreed, however, that all the terms and provisions of the aforesaid letter of May 17, 1976 shall remain in full force and effect. Your signature in the space provided below will constitute your acceptance of and agreement to abide by same.

Very truly yours,

NIAGARA FRONTIER SERVICES, INC.


Robert J. Castellan
Vice President

RJC/cf

ACCEPTED AND AGREED:

TOWN OF CHEEKTOWAGA

By Kenneth J. Meyer Date May 21, 1979

Item No. 9 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga has previously adopted a Parks Ordinance (Ordinance No. 38) with amendments thereto which apply to all public parks and public park approaches owned by the Town of Cheektowaga, and

WHEREAS, said Parks Ordinance gives ample authority and control by the Town for the use of said parks and its facilities and to control the movement and activities of persons using same, and

WHEREAS, it appears that in addition to the provisions of the Parks Ordinance it would inure to the benefit of the Town to promulgate certain park Rules and Regulations in addition to the said Parks Ordinance for the proper control of the activities in the park and users thereof, and

WHEREAS, Section 64(3) of the Town Law of the State of New York grants to the Town Board the management, custody and control of all Town lands, buildings and property, THEREFORE, BE IT

RESOLVED that pursuant to the powers and authorities vested in the Town Board by said Town Law, Section 64 (3), the Town Board hereby adopts the following Rules and Regulations in addition to Parks Ordinance (Ordinance No. 38) and amendments thereto:

1. The roads in said parks shall be blocked off by physical barriers after closing hours and may not be used by the public.
2. Parking of vehicles of any type and description shall not be allowed except in designated areas. Said designated areas shall be conspicuously posted in each park. Drivers and owners of automobiles using the roads in the Town Parks shall observe the speed limits posted in said park.
3. No littering shall be allowed in the parks and all refuse rubbish and garbage of all types shall be placed in receptacles properly marked and provided for said purpose.
4. Any person or persons violating said Rules and Regulations shall be subjected to removal from the park property by authorized park personnel and/or police enforcement officers.
5. The Chief of Police shall have complete discretion regarding priorities of enforcement of any of said park Rules and Regulations and he shall not be restricted or obliged to respond to calls in the event other police matters occurring at the same time within the Town are determined more important.

In addition to the above Rules and Regulations, Park Ordinance No. 38 shall be fully enforced and the fines and penalties therein specified shall remain in full force and effect, and BE IT FURTHER

RESOLVED that said Rules and Regulations, Park Ordinance (No. 38) and pertinent provisions of the Town Noise Ordinance (Ordinance No. 17) be conspicuously posted at various locations in the Town Parks.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Scajaquada Creek Flood Control Project required the removal and replacement of bridges and culverts, and

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc., informed the Town Engineer that the necessary plans and specifications for said bridge and culvert replacement are completed, and

WHEREAS, the New York State Department of Environmental Conservation has notified the Town Engineer that easements necessary in the construction of said bridges and culverts have been secured by the State of New York, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said Scajaquada Creek Structure Replacements, notice to be published in THE BUFFALO EVENING NEWS, THE CHEEKTOWAGA TIMES and THE EXAMINER, and BE IT FURTHER

RESOLVED that the Town Clerk obtain certified copies of said notice from all three (3) newspapers, and BE IT FURTHER

RESOLVED that the Town Board meet on the 18th day of June at 7:00 P.M., Local Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting held for that purpose.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 until 7:00 P.M., Local Time on Monday, the 18th day of June, 1979 at which time and place they will be publicly opened and read aloud for the following work:

SCAJAQUADA CREEK STRUCTURE REPLACEMENT
TOWN OF CHEEKTOWAGA

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.

The work to be accomplished under this proposal shall be completed within 350 calendar days.

Copies of the Contract Plans and Documents may be examined at no expense at the office of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders will be refunded one-half the amount of their deposit (\$12.50) for one complete set of documents only. Materials suppliers and any one returning the Documents prior to the bid opening shall be classed as non-bidders insofar as refund of deposits is concerned.

Item No. 11 cont'd

All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be enclosed in a separate sealed envelope addressed to the Town Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAQUADA CREEK STRUCTURE REPLACEMENT - TOWN OF CHEEKTOWAGA".

No proposal will be considered unless it is accompanied by a bid guaranty which shall be not less than five percent (5%) of the amount bid for the total work contemplated to be done. At the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570. The certified check shall be made payable to "Town of Cheektowaga". The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.

Bidders on this work shall be required to comply with the President's Executive Orders No. 10925, 11114, 11246 and 11375 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheektowaga, are hereby reserved.

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

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

DATED: May 21, 1979

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGE

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

Gladys M. Sechete, of the town
of Cheektowaga, in said County of Erie, being
lawfully sworn, deposes and says that he (she) is
.....*Clerk*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks;
first publication.....*June 7, 1979*.....;
last publication.....*June 7, 1979*.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechete

Sworn to before me this*8th*.....

day of*June*....., 19*79*.....

Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*81*

NOTICE TO BIDDERS
Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Cheektowaga, New York 14227, until 7:30 P.M. Local

Time on Monday, the 20th day of June, 1979, at which time and place they will be publicly opened and read aloud for the following work:

**SCAJAQUADA CREEK
STRUCTURE REPLACEMENT
TOWN OF CHEEKTOWAGA**

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.

The work to be accomplished under this proposal shall be completed within 350 calendar days.

Copies of the Contract Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days

following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders will be refunded one-half the amount of their deposit (\$12.50) for one complete set of documents only. Materials suppliers and any one returning the Documents prior to the bid opening shall be classed as non-bidders insofar as refund of deposits is concerned.

All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be enclosed in a separate sealed envelope addressed to the Town Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAQUADA CREEK STRUCTURE REPLACEMENT - TOWN OF CHEEKTOWAGA".

No proposal will be considered unless it is accompanied by a bid guaranty which shall not be less than five percent (5 percent) of the amount bid for the total work contemplated to be done. At the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570. The certified check shall be made payable to "Town of Cheektowaga". The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.

Bidders on this work shall be required to comply with the President's Executive Orders No. 10888, 11114, 11346 and 11375 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheektowaga, are hereby reserved.

No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

RICHARD M. MOLESKI
Town Clerk

Town of Cheektowaga, New York
DATED: May 21, 1979

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

Gladys M. Fichter, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
.....*Clack*..... of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for*1*..... weeks:
first publication.....*May 24, 1979*.....;
last publication.....*May 24, 1979*.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Fichter
Sworn to before me this*25th*.....
day of*May*....., 19*79*.....
.....*Naidine C. Williams*.....

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*81*

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*81*

..... } ss.
.....
WAGA }

.....*Fichter*....., of the town
.....
County of Erie, being
.....
says that he (she) is
.....
..... of the Cheek-
.....
newspaper published
.....
at the notice, of which
.....
taken from said news-
.....
inserted and published in
.....
for*1*..... weeks:
.....*June 7, 1979*.....;
.....*June 7, 1979*.....;
.....
six days intervened be-

.....*M. Fichter*.....
.....*8th*.....
.....*June*....., 19*79*.....
.....*N. Williams*.....

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M. Local Time on Monday, the 18th day of June, 1979, at which time and place they will be publicly opened and read aloud for the following work:

**SCAJAQUADA CREEK
STRUCTURE REPLACEMENT
TOWN OF CHEEKTOWAGA**

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.

The work to be accomplished under this proposal shall be completed within 350 calendar days.

Copies of the Contract Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

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All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be

Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAQUADA CREEK STRUCTURE REPLACEMENT - TOWN OF CHEEKTOWAGA".

No proposal will be considered unless it is accompanied by a bid guaranty which shall be not less than five percent (5 percent) of the amount bid for the total work contemplated to be done. At the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570. The certified check shall be made payable to "Town of Cheektowaga". The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.

Bidders on this work shall be required to comply with the President's Executive Orders No. 10925, 11114, 11246 and 11375 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheektowaga, are hereby reserved.

No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

RICHARD M. MOLESKI
Town Clerk

Town of Cheektowaga, New York
DATED: May 21, 1979

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 7 day of June, 1929, and ending on the day of , 19

Signed ^{nc} J. L. Charters
Sworn to before me, on the 7
day of June, 1929

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1931

NOTICE TO BIDDERS

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TOWN OF CHEEKTOWAGA**

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No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

Richard M. ~~Shaw~~
Town Clerk

Town of Cheektowaga, New York
DATED: May 21, 1979

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 24 day of May, 1979 and ending on the 6 day of _____, 19

Signed James L. Charters
Sworn to before me, on the 24
day of May, 1979

Patricia H. Young
Notary Public

PATRICIA H. YOUNG
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

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Bidders on this work shall be

required to comply with the President's Executive Orders No. 10925, 11114, 11246 and 11375 relative to nondiscrimination in employment.

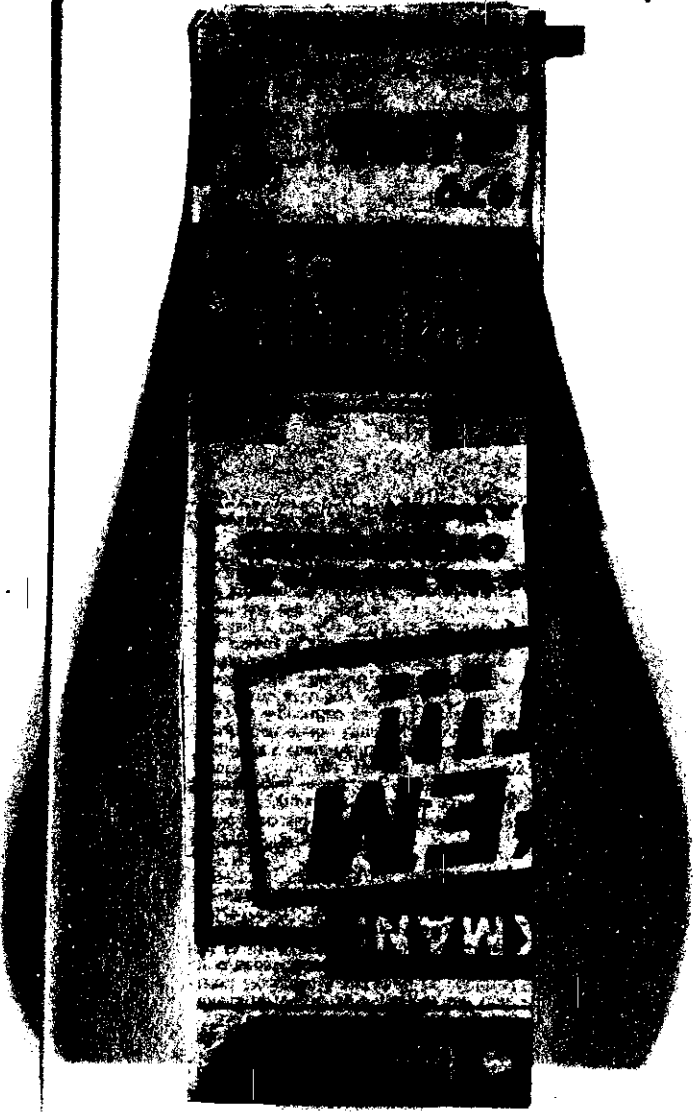
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No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

Richard M. Molecki
Town Clerk

Town of Cheektowaga, New York
DATED: May 21, 1979

State of New York }
ERIE COUNTY
CITY OF BUFFALO



Ronald F. Baren

of the City of Buffalo, New York, being duly sworn,
deposes and says that he is Principal Clerk
of the BUFFALO EVENING NEWS, INC.,
Publisher of the BUFFALO EVENING NEWS, a
newspaper published in said city, that the notice of
which the annexed printed slip taken from said
newspaper is a copy, was inserted and published
therein twice ~~XXXXXXXXXXXXXXXXXXXX~~
~~XXX~~, the first insertion being on the 24th
day of May 19 79 and the last
insertion being on the 31st day of May 19 79.

Ronald F. Baren

Sworn to before me this 31st day

of May 19 79

Francis X. Vollmer Jr.
Notary Public, Erie County, N. Y.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

State of New York
ERIE COUNTY
CITY OF BUFFALO

NOTICE TO BIDDERS
 Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M. Local Time on Monday, the 19th day of June, 1979, at which time and place they will be publicly opened and read aloud for the following work:

**SCAJAQUADA CREEK
 STRUCTURE REPLACEMENT
 TOWN OF CHEEKTOWAGA**

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replacement structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McParland-Johnson Engineers, Inc. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.

The work to be accomplished under this proposal shall be completed within 90 calendar days.

Copies of the Contract Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

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Bidders on this work shall be required to comply with the President's Executive Order No. 11246, 11248, 11250 and 11275 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheektowaga, are hereby reserved.

No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

Dated: May 21, 1979
 RICHARD M. MOLESKI
 Town Clerk
 Town of Cheektowaga,
 New York

Ronald F. Baron

of the City of Buffalo, New York, being duly sworn,
 deposes and says that he is Principal Clerk
 of the BUFFALO EVENING NEWS, INC.,
 Publisher of the BUFFALO EVENING NEWS, a
 newspaper published in said city, that the notice of
 which the annexed printed slip taken from said
 newspaper is a copy, was inserted and published
 therein twice ~~XXXXXXXXXXXXXXXXXXXX~~
~~XXX~~, the first insertion being on the 24th
 day of May 19 79 and the last
 insertion being on the 31st day of May 19 79.

Ronald F. Baron

_____ day
 of _____
 19 79

FRANCIS X. VOLLMER JR.
 Notary Public, State of New York
 Qualified in Erie County
 My Commission Expires March 30, 1981

Francis X. Vollmer Jr.
 Notary Public, Erie County, N. Y.

Item No. 12 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the furnishing of two (2) 3/4 ton pick-up trucks for the Sewer Maintenance Department, which bids were duly received and opened at this meeting, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, and

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of two (2) pick-up trucks be awarded to Keller Chevrolet, Inc., 3600 Genesee Street, Cheektowaga, New York 14225 for their bid in the amount of \$11,022.06 for two (2) eight cylinder pick-up trucks, said bid being the lowest bid meeting the specifications.

* See next page for letter



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200
686-3449

May 17, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid Award
Pick-Up Trucks

Gentlemen:

On May 7, 1979 bids were received and opened for the furnishing of two (2) pick-up trucks for the Sewer Maintenance Department.

BIDDER	NET BID 8 CYL. TRUCK	NET BID 6 CYL. TRUCK	DELIVERY (DAYS)
Keller Chevrolet	11,022.06	10,288.86	60-90
Maier-Schule GMC	11,233.00	10,500.00	60
Mid City Dodge	11,291.00	--	-

The choice of a 6 cylinder or 8 cylinder truck was discussed with the supervision of the Sewer Maintenance Department. All three stated that the existing 6 cylinder trucks are not adequate to haul bricks, sand, pumps and other required materials for Sewer Maintenance. It is, therefore, recommended that the two (2) 8 cylinder pick-up trucks be purchased and the bid be awarded to Keller Chevrolet Inc. whose bid of \$11,022.06 was the lowest responsible bid meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer


BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 12 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Authorization for Michael Wycoki to remove topsoil
This item was withdrawn.

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Johnson

BE IT RESOLVED that Change Order No. 10 for the Northeast Interceptor Project (C-36-323) of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program in the amount of \$5,325.10, as a subtraction of the Amadori Construction Company, Inc., Contract No. 1, be approved. This deduction is defined in a letter from the Town Engineer dated May 17, 1979 and considered part of this resolution, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 5.

* See next page for letter



Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.
TOWN ENGINEER
716-683-2200
686-3449

May 17, 1979

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Northeast Interceptor
Change Order No. 10

Gentlemen:

The attached resolution is submitted for your approval of one (1) Change Order on the Northeast Interceptor Project of the Sewer District No. 5 Water Pollution Control Program.

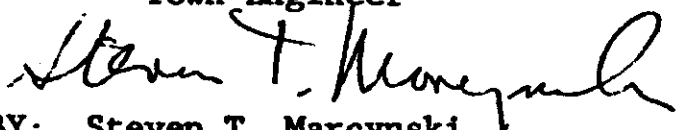
Change Order No. 10 -- Deduct \$5,325.10

The contractor submitted this Change Order as a reimbursement for materials not required to complete installation of five (5) manholes. All five (5) manholes are situated within the steel sheetpiled areas or within a previously sheeted bore pit area and hence, did not require the wood shoring inclusive of the original cost breakdown of Change Orders #3 and #8.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer


BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 14 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, representatives for Perkins Cake and Steak Restaurant have petitioned this Board of Managers of Sanitary Sewer District #7 for the construction of a restaurant at 3637 Union Road using a holding tank system similar to that used at the Urbandale Plaza, and

WHEREAS, such an acceptable system will not add wastewaters to the sanitary sewer system at the time of storm water periods when the sanitary sewer may be surcharged, NOW, THEREFORE, BE IT

RESOLVED that this Board of Managers of Sanitary Sewer District #7 has no objection to the use of this type of wastewater holding system for use by Perkins Cake and Steak Restaurant.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Supervisor Meyers, seconded by Councilman Burst

RESOLVED that the following be hired as part-time clerks in the Judge's Office, at the salaries listed:

Cheryl Rozniak	Maria Sisti
\$22.00 per day	\$2.90 per hour
Janet Kordasiewicz	
\$2.90 per hour	

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the 1979 rate for seasonal laborers in the following Departments is hereby established at the rate of \$2.90 per hour:

Sanitation
Sewer Maintenance
Sewage Treatment Plant 5
Central Garage
Engineering
Facilities Department

and BE IT FURTHER

RESOLVED that the salary rate for all 1979 seasonal laborers previously hired by Town Board resolution shall be adjusted to reflect this new rate retroactive to the original date of hire.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

5/21/79

Item No. 16c Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

RESOLVED that the following are hereby hired as seasonal laborers in the Departments listed at the hourly rate of \$2.90; effective immediately:

ENGINEERING DEPARTMENT

Michele Wityk
Robert Kaczmarek

SEWAGE TREATMENT PLANT NO. 5

Allan A. Kuczka
Ronald Kaczmarek
Mark Dolan
Jeff Vallone
Joe Russo
Timothy Glowny

SEWER MAINTENANCE DEPARTMENT

James Kalinowski
Todd Meyers
Michael Kirisits
Joseph Raniero
Greg Day
Robert Szafraniec
Michael Torgalski
Michael Urban

CENTRAL GARAGE

Robert Prada
Darryl Szymczak
Paul Friedrich
Gene Dudek
Timothy Torgalski
Ronald Dux
Robert Karalus
James Gabryszak
Paul Jarmuz
Peter Reddish

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16d Motion by Councilman Kaczmarek, seconded by Councilman Dux

BE IT RESOLVED that the following be and hereby are hired as seasonal laborers, as replacements for vacations as needed, in the Sanitation Department, at an hourly salary of \$2.90 hourly:

Paul Kranz	, N.Y. 14212
Lawrence Miller	Chktg., N.Y. 14211
Frank Maurin	, Chktg., N.Y. 14225
Alan J. Mazurowski	Chktg., N.Y. 14225
John Kaniecki	Sloan, N.Y. 14212
Michael Kasprzak	Chktg., N.Y. 14225
James Miller	Sloan, N.Y. 14212
Kenneth Zoeller	Chktg., N.Y. 14225
Mitchel Lembke	Chktg., N.Y. 14225
Gary Gemerek	N.Y. 14225
Joseph Trautman	N.Y. 14225
Timothy White	, N.Y. 14225
Paul Brotz	Chktg., N.Y. 14206
Scott Keller	Chktg., N.Y. 14225

Item No. 16d cont'd

Ronald Fenske	, Chktg., N.Y. 14206
Michael F. Bauer	Chktg., N.Y. 14225
Eileen Christopher	Chktg., N.Y. 14225
Elizabeth Fox	, Chktg., N.Y. 14225
William R. Johnson	Chktg., N.Y. 14227
David Szymanski	Sloan, N.Y. 14212
Hugh Allen	, Chktg., N.Y. 14206
John W. Cieply	, Sloan, N.Y. 14206
Michael Lonczak	, Chktg., N.Y. 14227
Thomas H. Smith	, Chktg., N.Y. 14225
David Zolnowski	Chktg., N.Y. 14225
Frederick C. Stevens	, N.Y. 14225

and BE IT FURTHER

RESOLVED that Daniel Surdyk, of _____, be hereby hired as a seasonal laborer in the Sanitation Department at the rate of \$2.90 per hour, said appointment retroactive to May 8, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilman Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16e Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following individuals be hired as seasonal employees in the Facilities Department of the Town of Cheektowaga for the 1979 Season, at the rate of \$2.90 per hour.

Laborers

Anthony Pijacki
Joseph Dolecki
Joseph Argentieri
Fred Mueller
Richard Woods
Robert Gielinski
Richard Marinaccio
David Saskowski
Brian Sauer
Dennis Greene
James Oxenford
Jeffrey Portera
Richard Bukowski, Jr.
David Marzak
John Sisti
Randy Bartholomew
Donald Catalfu
Michael Rossi
Peter Hojczyk
Kenneth Levan
Gary Winkler
David Dombrowski
John Krieger
Larry Benczkowski
Cary Winkler
Larry Zygmunt
Robert Zygmunt
David Kroll
Martin BiFaro
Mark Banaszak
Richard Knox
Gary Szymkowiak

AND BE IT FURTHER

Item No. 16e cont'd

and BE IT FURTHER

RESOLVED that the following individuals previously hired in the Facilities Department be paid at a rate of \$2.90 per hour retroactive to their starting dates:

Robert Lis
Doug Wegner
Paul Dorobiala
Joanne Bartkowiak

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town Attorney's Office has been provided with seasonal Law Clerks for the past several summers, and

WHEREAS, various colleges and universities are providing work-study programs wherein a portion of the wages paid for such Law Clerk Assistants are partially reimbursed by federal or state funds, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are hired to work as Law Clerks in the Law Department during the summer season at the rate of \$4.00 per hour:

Kevin Schenk

Cheektowaga, New York

effective immediately, and

Ms. Marilyn Lew

Cheektowaga, New York,

effective June 15, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, a resolution was passed at the regular Town Board meeting held on May 7, 1979, granting a six month leave of absence for Town employee John Nowicki, and

WHEREAS, it has been brought to the attention of the Town Board, through communication received from the New York State Retirement System, that said John Nowicki is officially retired from the Town as of March 8, 1979, NOW, THEREFORE, BE IT

RESOLVED that said resolution dated May 7, 1979, granting a six month leave of absence to John Nowicki, be and hereby is rescinded.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, William Borowiak, Motor Equipment Operator for the Town of Cheektowaga Highway Department, has been absent from work due to illness and during said absence he has used up his accumulated sick leave, personal days and, at present, is utilizing his vacation days, and

WHEREAS, said employee has requested an extension of his sick leave benefits pursuant to the limitations specified in the Collective Bargaining Agreement between the Town of Cheektowaga and the employee's representative, NOW, THEREFORE, BE IT

RESOLVED that said William Borowiak be and hereby is granted extended sick leave with pay not to exceed fifteen (15) days upon expiration of all accumulated sick leave, personal leave and vacation days and subject to the provisions of the Collective Bargaining Agreement between the Town of Cheektowaga and the employee's representative.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau has received a Youth Conservation Corp Grant through the New York State Department of Environmental Conservation, and

WHEREAS, the Department of Environmental Conservation requires a training program to be attended by all subgrantee agents, and

WHEREAS, permission is requested to utilize a Town vehicle to and from the above stated sessions, NOW, THEREFORE, BE IT

RESOLVED that Bonnie Przybylak and Michael Bernal are hereby authorized to attend two training sessions to be held on June 13th and June 14th, 1979, in Avon, New York, and BE IT FURTHER

RESOLVED that Bonnie Przybylak and Michael Bernal be permitted authorization to utilize a Town vehicle on said dates and that all necessary travel expenses be hereby reimbursed at a cost not to exceed Fifty Dollars (\$50.00)

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the fourth annual Training Conference of the Police Juvenile Officers Association, Inc. will be held June 11, 12, 13, 1979, at Saratoga Springs, New York, and

WHEREAS, Police Officer Christine Ziemba is presently assigned to the Juvenile Bureau under state grant program titled - Family Assitance Officer, and

WHEREAS, funds are provided through this grant for travel and conference, NOW, THEREFORE, BE IT

RESOLVED that Officer Christine Ziemba is hereby granted the necessary leave time to attend said Training Conference in Saratoga Springs, New York.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the Regional Training Division of the Drug Enforcement Administration will conduct a two week DEA Law Enforcement training school in cooperation with the New York State Police at the State Police Academy, Albany, New York, June 18 through June 29, 1979 and August 13 through August 24, 1979, and

WHEREAS, Chief of Police Theodore DeFedericis has requested permission for officers Lt. Edward Glascott and Detective John Cyranowski to attend said training school, NOW, THEREFORE, BE IT

RESOLVED that Lt. Edward Glascott is hereby authorized to attend said training school in Albany, New York, June 18 through June 29, 1979, and Detective John Cyranowski is hereby authorized to attend said training school in Albany, New York, August 13 through August 24, 1979, and BE IT FURTHER

RESOLVED that officers Glascott and Cyranowski be reimbursed for their necessary and reasonable travel expenses in connection with said training school at a cost not to exceed \$146.80 each.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the southeast corner of Slate Drive and French Road, in the Town of Cheektowaga, New York (Account No. 2-386-19) and according to the Assessor's Office records is owned by Bernard Ceaser, residing at 126 Carriage Drive, Williamsville, New York, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner herinbefore described.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24 Permission for N.Y.S. Electric & Gas to remove and install light in Kelly Drive Park
This item was withdrawn.

Item No. 25 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Roger J. Kotlcwski has made application and requested the rezoning of property located at 50-54 Northcrest from R-Residential to RC-Restricted Business, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 4, 1979 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 24 day of May 1979 and ending on the 0 day of _____, 19

Signed ^{hc} Mr. J. Charters
Sworn to before me, on the 24
day of May, 1979
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 24 day of May, 1979 and ending on the 8 day of _____, 19

Signed ^{hc} Mr. J. Charters
Sworn to before me, on the 24
day of May, 1979
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

SPECIAL NOTICE

NOTICE OF 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 4th day of June 1978, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Roger J. Kotowski to Rezone from R - Residential District to RC - Restricted Business District on property located at 50-54 Northcrest and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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 Twelve (12), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lot Numbers Two Hundred Thirty-eight (238) and Two Hundred Thirty-nine (239) as shown on a map of U-Crest Terrace filed in the Erie County Clerk's Office under Cover Number 1205.

BY ORDER OF THE TOWN BOARD
Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.

Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

RICHARD M. MOLESKI
Town Clerk

Item No. 26 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that funds in the amount of \$2,395.00 (Two-thousand three hundred, ninety-five dollars) be transferred from Account No. DS.5140.173 (Ditches-Labor) to Account No. DS.5130.200 (Equipment) in the Highway Fund.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to May 21st, 1979 be and the same are hereby approved and the Supervisor is ordered to pay same.

<u>FUND</u>	<u>CHECK NO.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	10524-10664		\$ 355,667.92
GENERAL FUND-INVESTMENT	None		200,000.00
SPECIAL DISTRICT FUND	5895-5954		172,097.93
HIGHWAY FUND	4445, 4496-4526		68,058.59
PART TOWN FUND	1167-1173		3,126.04
TRUST AND AGENCY FUND	657-662		38,816.65
CAPITAL FUND	201-203		451,178.82
FEDERAL REVENUE SHARING FUND	119-124		1,424.78
H.U.D.-C.D.B.G. FUND	156-158		13,348.46
H.U.D.-N.P.P. FUND	105-107		980.80
			<u>\$1,304,699.99</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Health report for April, 1979
This item was Received and Filed.

Item No. 29 Minutes from Library Board
This item was Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 30 N.Y.S. Dept. of Trans. - Notice of Order for Maryvale Drive
Copies were sent to: Town Board, Chief of Police, Captain Lis,
Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 31 N.Y.S. Dept. of Trans. - letter regarding bus stop on Alpine
and Genesee Street
Copies were sent to: Town Board, Captain Lis, Chief of Police,
Cheektowaga Traffic Safety Commission.

Item No. 31 cont'd

This item was received and Filed.

Item No. 32

E.C. Dept. of Public Works - letter regarding speed limit on William Street
Copies were sent to: Town Board, Captain Lis, Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 33

E.C. Commissioner of Finance - statement of all money paid to cities, towns and villages in Erie County in 1978
Copy was sent to Bixby & Co.
This item was Received and Filed.

Item No. 34

E.C. Dept. of Health - notification of public hearing on proposed changes to Erie County Sanitary Code
Copies were sent to: Town Board, Chester Bryan, Town Engineer.
This item was Received and Filed.

Item No. 35

Letter from John R. Dunne, 6th District Chairman, Committee on insurance regarding proposed legislation to allow localities to join together in self-insurance pools
Copies were sent to: Town Board, Ernest Holfoth.

Item No. 36

Letter from Joseph Schultz, Depew Village Attorney regarding introduction to Local Law regarding Game of Chance Law
Copies were sent to: Town Board, John V. Rogowski, Town Attorney.
This item was Received and Filed.

Item No. 37

Letter from resident of LeHavre Drive regarding speed on said street
Copies were sent to Town Board, Chief of Police, Captain Lis, Cheektowaga Traffic Safety Commission.
This item was Received and Filed.

Item No. 38

Claim - Carol Sikorski vs Town of Cheektowaga
Copies were sent to the Insurance Company, Supervisor Kenneth J. Meyers, John V. Rogowski, Town Attorney; Highway Department.
This item was Received and Filed.

Item No. 39

Stanley Stachewicz, President of Walden District Taxpayer's Association - wishes to speak regarding Town Park Ordinance
Copies were sent to: The Town Board
This item was Received and Filed.

Item No. 40

Motion by Councilman Swiatek, seconded by Councilman Burst to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

Item No. 1 . At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 29th day of May, 1979 at 1:00 o'clock P.M., Eastern Daylight Savings Time, there were

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chief DeFedericis; Ed Leak, Recreation Director; Ron Zoeller, Sanitation Foreman; Dr. Louis Vendetti, Town Health Officer; Andrew Schwenk, Sole Assessor; Ron Marten, Building and Plumbing Inspector; John Rogowski, Town Attorney; Jim Matecki, Facility Department Director; Julia Reinstein, Town Historian; Chester Bryan, Town Engineer; Sal LaGreca, Assistant Manpower Program Director I; Robert Miller, Deputy Town Attorney.

I. RESOLUTIONS

Item No. 2 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, previously it had been required by the Erie County Board of Elections that the Town of Cheektowaga maintain and operate 111 polling places for the purpose of registering voters each year, and

WHEREAS, more than one-half of the qualified voters are registered in the Town of Cheektowaga as required by the laws of the State of New York as a prerequisite for consolidation, and

WHEREAS, the consolidation of 111 Election Districts will result in substantial savings of approximately \$25,000, and

WHEREAS, the consolidation will also eliminate and reduce many of the functional details; namely,

1. The manpower requirements
2. Delivery of voting booths
3. Distribution of supplies to election inspectors
4. Mailing of notices to polling places and election inspectors
5. Rental of polling places
6. Use of Town recreational and facility buildings
7. Various processing details
8. Many other time-consuming and operational requirements for the purpose of registration

AND

WHEREAS, Federal legislation has provided for mail-in registration which has proved highly successful in that many citizens have made use of this procedure for registration, and

WHEREAS, the Town Clerk has petitioned the Erie County Board of Elections for permission to consolidate for registration purposes, and

WHEREAS, the Erie County Board of Elections has granted said permission to the Town of Cheektowaga, NOW, THEREFORE, BE IT

Item No. 2 cont'd

RESOLVED that the Town Clerk be and hereby is authorized to consolidate for Registration Days only the 111 Election Districts to one central location, namely, the Election Service Center on Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the consolidation of 111 Election Districts for Registration Days only into one central location will result in substantial savings, and

WHEREAS, the salaries of the Election Inspectors throughout other Towns in Erie County have been increased to meet minimum wage standards, and

WHEREAS, the proposed salary increase has been budgeted for the fiscal year of 1979, NOW, THEREFORE, BE IT

RESOLVED that all Election Inspectors be paid the minimum wage of \$2.90 per hour, per the following:

<u>PRIMARY DAY:</u>	<u>Pay Schedule</u>
Computation: 9 hrs. polls open plus 1/2 hour before and after = 10 hrs. x \$2.90 = \$29.00	\$29.00
<u>ELECTION DAY:</u>	
Computation: 15 hrs. polls open plus 1/2 hour before and after = 16 hrs. x \$2.90 = \$46.50	\$46.50
<u>REGISTRATION DAYS:</u>	
Two Registration days - will be consolidated at on Polling Location	\$28.00
<u>SCHOOL:</u>	
Computation: 3 hrs. X \$2.90 = \$8.70 rounded to \$9.00	9.00
<u>CHAIRPERSONS:</u>	
Chairperson must pick up and return supplies:	
Primary Day	\$10.00
Election Day	\$10.00

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the necessary preliminary studies regarding the installation of a traffic signal at the intersection of Towers Blvd. and French Road, have been completed, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board respectfully requests the Erie County Highway Department to review and approve the plans for the proposed re-alignment of Towers Blvd., as attached and made a part of this resolution;

Item No. 4 cont'd

and to issue a permit for the installation of said traffic signal at the re-located Towers Blvd. and French Road intersection, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Mr. Kenneth L. Reitmeier, Deputy Commissioner, Erie County Department of Public Works, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, it is in order that bids be advertised to cover the purchases of signs, sign posts and brackets for the year of July 1, 1979 to June 30, 1980, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of signs, sign posts and brackets for the year of July 1, 1979 to June 30, 1980, notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board meet on the 18th day of June, 1979 at 7:00 P.M., Eastern Daylight Savings Time at the Town Hall, Broadway and Union Roads, Cheektowaga, New York, for the purpose of receiving sealed bids at which time they will be publicly opened at the Town Board at a public meeting called for that purpose.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 18, 1979 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Traffic Control Signs, Sign Posts and brackets for the year of July 1, 1979 to June 30, 1980.

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 interests of the Town, or reject any and all bids.

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

RICHARD M. MOLESKI
Town Clerk

DATED: May 29, 1979

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposeth and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 7 day of June 1929 and ending on the _____ day of _____, 19__

Signed ^{nc} J. L. Charters
Sworn to before me, on the 7
day of June 1929
Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1931

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 18, 1979 at 7:00 P.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Traffic Control Signs, Sign Posts and Brackets for the year of July 1, 1979 to June 30, 1980.

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 formalities, make an award to other than the low bidder, should it be in the best interests of the Town, or reject any and all bids.

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

Richard B. Williams
Town Clerk

DATED: May 29, 1979

Item No. 6 Motion by Councilman Kaczmarek, seconded by Councilman Dux

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on March 19, 1979 for road materials for the Town of Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

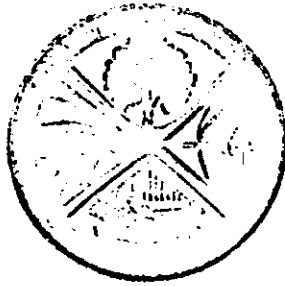
RESOLVED that the bids for cement be awarded to the lowest responsible bidder meeting specifications as set forth in the tabulation of bids attached hereto and made a part hereof, namely, Robert Buyer, Inc.

* See next three (3) pages for letter and tabulation

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

May 23, 1979

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board Members
Town Hall, Cheektowaga, New York

Gentlemen:

Bids were opened and read at the Town Board meeting of March 19, 1979 at 7:00 P.M. for road materials for the Town of Cheektowaga Highway Department. Most of the material was awarded at the board meeting of April 23rd. However, the award was not made for the cement and request that it be awarded at the next meeting to Robert Buyer, Inc.

Enclosed please find a copy of the tabulation.

Very truly yours,

TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss
Enclosure

Copies: Richard Moleski, Town Clerk
John Rogowski, Town Attorney
Jerry Gabryczak, Council Office
Al Blachowski, Engineering Dept.
Town Board Members

RECEIVED

MAY 24 1979

Richard M. Moleski, Town Clerk

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

FOR PERIOD MAY 30th, 1979 THRU APRIL 1, 1980

Pine Hill Concrete

Robert Buyers, Inc.

Cubic Yards (Short Load Charges)		1-2-3 Mix	6 Bag Mix
1/4	49.93	44.58	44.70
1/2	55.85	54.15	54.45
3/4	63.78	63.73	64.15
1	71.70	68.30	68.90
1 1/4	79.63	77.88	78.60
1 1/2	87.55	87.45	88.35
1 3/4	95.48	97.03	98.00
2	103.40	104.60	105.50
2 1/4	111.31	114.18	115.50
2 1/2	119.25	123.75	125.00
2 3/4	127.18	129.33	130.75
3	135.10	130.90	132.50
3 1/4	142.00	140.48	142.00
3 1/2	150.95	150.05	152.00
3 3/4	158.85	159.63	161.50
4	166.80	161.20	163.00
4 1/4	174.75	170.78	173.00

FOR PERIOD MAY 30th, 1979 THRU APRIL 1, 1980

Pine Hill Concrete

Robert Buyers, Inc. Page 2

Concrete Yard (Short Load Charges)		1-2-3 Mix	6 Bag Mix
4 1/2	182.65	180.30	183.00
4 3/4	190.58	185.90	192.00
5	198.50	191.50	194.50
5 1/4	208.43	201.05	204.00
5 1/2	218.35	210.65	213.00
5 3/4	228.25	220.20	223.50
6	238.20	229.80	233.00
6 1/4	248.15	239.30	243.00
6 1/2	258.05	248.90	252.50
6 3/4	267.98	258.50	262.50
7	277.90	268.00	272.00
7 1/4	287.83	277.60	282.00
7 1/2	297.75	287.00	291.70
7 3/4	307.68	296.75	301.00
8	317.60	306.00	311.00
8 1/4	327.53	315.90	320.75
8 1/2	337.45	325.50	330.50
8 3/4	347.38	335.00	340.20
9	357.30	344.50	350.00
9 1/4	367.20	354.00	359.00
9 1/2	377.15	363.00	369.50
9 3/4	386.05	373.00	379.00
10	396.35	383.00	388.00

Item No. 6 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 7 Acceptance of Martinique Heights Subdivision
This item was withdrawn.

Item No. 8 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Mr. and Mrs. Sam Aquisto have petitioned this Board of Managers of Sanitary Sewer District #7 for the construction of a single family home on Meadowlawn Road between Patrick and Sable Palm in the Village of Depew using a holding tank, and

WHEREAS, such a holding tank system will not be connected to the sanitary sewer system, NOW, THEREFORE, BE IT

RESOLVED that this Board of Managers of Sanitary Sewer District #7 has no objection to the use of this type of wastewater holding system for use by the applicant for a single family home on Meadowlawn Road in the Village of Depew.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

RESOLVED that the following individuals be hired as part-time summer help in the office of the Town Clerk at the rate of \$2.90 per hour:

Cheryl Ann Koscielniak,	, Cheektowaga, N.Y.
Dorothy Holtz,	Cheektowaga, N.Y.
Michaeline Mahoney,	Cheektowaga, N.Y.
Corinne Furmanek,	Cheektowaga, N.Y.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10a Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the following persons be hired as summer help in the Cheektowaga Youth Bureau with the titles and salaries listed below:

Brian T. Januszkiewicz

Summer Day Camp Program-at the salary rate of \$4.00 per hour

Mark Popiela

Hometown Beautification Program-at the salary rate of \$2.90 per hour

Elizabeth L. Smolarek

Administrative Intern Program-at the salary rate of \$3.00 per hour

Michael A. Lonczak

Bike Registration Program-at the salary rate of \$2.90 per hour

Item No. 10a cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10b Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the following individuals are hereby hired as seasonal employees in the following Departments at the rates listed:

Sanitation Department - Laborers \$2.90 per hour

Michael Boleick
Frankie Dalka
Paul Glab
Pat Occhiuto
Mark C. Bartella

Central Garage - Laborers \$2.90 per hour

Dennis Marszalkowski
Richard J. Dux

Sewer Maintenance - Laborer \$2.90 per hour

Gilles Woolrich

Parks Department - Watchman \$2.50 per hour

Gordon Heyden

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10c Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department for its 1979 summer programs:

PLAYGROUND SUPERVISORS - \$1500.00

Larry Brownell
Rick Binner
Douglas Conley
Mary Ellen Eldridge
Barbara Fiorello
Charles Geary
Gerald Klas
Mike Maroney
Martin Mazikowski
Peter Odrobina
Jean Olson
Paul Ruda
Kathryn Voelker

ARTS & CRAFTS SUPERVISORS - \$1500.00

Lisa Andelora
Debra Chalcraft
Patricia Herweg
Deborah Karpinski
Kathleen Moriarity
Kathryn Paulus

Item No. 10c cont'd

Rosemary Ratajczyk
Carolyn Stawasz
Dianne Urso
Carol White

PLAYGROUND ATTENDANTS - \$2.90 per hour

Roger Amabile
Barbara Baldi
Dee Bartkowiak
Nicholas Batina
Mary Bilski
Thomas Block
Kenneth Bonk
Cheryl Borsuk
Mary Borer
Michael Caruso
Diane Catalfu
Maureen Conboy
Lisa Conway
Ann Marie Aguglia
Jean Barnack
Cynthia Feyrer
Constance Kasprzak
Jolene Coangelo
Don Cottle
Cheryl Crupe
Gary DeLoach
Richard Deltuva
Anthony Denson
Debbie Dolan
Michael Dombrowski
Beverly Dziadosz
Pamela Emmanuele
Ellen Fahey
Joanne Fahey
Donald Favre
William Fenske, Jr.
Andre Filippi
Susan Forma
Catherine Fries
Terri Geck
Donna Geiger
Diane Gervase
Audrey Gill
Ruth Ann Glogowski
Sharon Grubka
Gary Halter
Rae Marie Heckman
Neal Hintermeier
John Janish
Karen Jedrzejczak
Deborah Juda
Douglas Junik
Joseph Kaminski
Scott Kantorski
Mary Beth Kawaler
Patti Ann Kelly
Mark Kensey
Debbie Kubera
John Lauer
David Lawrence
Max Lefko
Virginia Leonardi
Laurie Licata
Donna Marinaccio
James Mason
Cindy Meyers
Cathy Mirando
Diane Monczynski
Lita Murawski
Deirdre Nagle

Item No. 10c cont'd

Joseph Perrino
Frank Piacente
Joseph Potuszlski
Melissa Prorok
Thomas Rabent
Mary Ratka
Mark Rogers
Sheila Rosenberry
Robert Rumschik, Jr.
Susan Sansone
Randall Sevilla
Steven Sevilla
Robin Shisler
Michael Sliwinski
Cynthia Solowski
Mary Anne Spaulding
Shelly Tonge
Kristin Stirratt
Ann Sturm
Philip Tonsoline
James Walkowski
Malcolm Williams
Donald Wipperman
Joseph Wojcik
Patricia Wnek
Gerald Zakrzewski
Marjorie Zulawski
Leslie Ann Zutter

HOMETOWN BEAUTIFICATION PROGRAM - YOUTH BUREAU - \$2.90/hour

Mark Fuller
Thomas Gerard Swiatek

POOL DIRECTOR - \$2500.00

Brian Hansen Cheektowaga 14206

SPECIAL EVENTS SUPERVISOR - \$1800.00

John Hartman Cheektowaga 14227

POOL SUPERVISORS - \$1500.00

Peggy State Cheektowaga 14215
John Zastempowski Cheektowaga 14211

POOL SUPERVISORS - \$1400.00

Karen Conwell Cheektowaga 14225
David Getz Cheektowaga 14225
Catherine Giles Cheektowaga 14225
William Hochul Cheektowaga 14211
Keith Schessl Cheektowaga 14215

LIFEGUARDS - \$2.75/hour without WSI - \$3.00/hour with WSI

Debra Baumgardner Cheektowaga 14225
Mary Bernel Cheektowaga 14215
Debora Blendowski Cheektowaga 14225
Lynn Brauer Cheektowaga 14225
Michelle Buyea Cheektowaga 14225
Michael Cantie Cheektowaga 14225
Debbie Cegielski Cheektowaga 14227
Sharon Conwell Cheektowaga 14225
Candyce Costrine Cheektowaga 14225
Laura Draear Depew 14043
Brian Frankowski Depew 14043
Wendy Hansen Cheektowaga 14225
Deborah Healy Cheektowaga 14225
Janet Jagodzinski Cheektowaga 14225

Item No. 10c cont'd

Linda Jagodzinski	Cheektowaga 14225
Regina Johnson	Cheektowaga 14227
Robert Joyce	Cheektowaga 14225
Paul Kaczmarek	Cheektowaga 14225
Paul Kolber	Cheektowaga 14225
Deborah Konopa	Cheektowaga 14225
William Krieger	Cheektowaga 14227
Susan Kushner	Cheektowaga 14225
John Ladowski	Cheektowaga 14227
Colleen Lester	Cheektowaga 14225
Mary Lizak	Cheektowaga 14211
David Magnano	Cheektowaga 14225
Frank Markiewicz	Cheektowaga 14206
Deborah McGee	Depew 14043
Elizabeth Mildenberger	Cheektowaga 14227
Lauri Mildenberger	Cheektowaga 14227
Eileen Murphy	Cheektowaga 14225
Linda Nicholson	Cheektowaga 14225
Susan Nicholson	Cheektowaga 14225
Mark Nikiel	Cheektowaga 14225
Charles Olday, Jr.	Cheektowaga 14206
Lori Peterson	Cheektowaga 14225
Thomas Pilat	Cheektowaga 14225
Mike Potempa	Cheektowaga 14225
Patricia Rummel	Cheektowaga 14215
Ronald Schenk	Cheektowaga 14227
Kim Schneider	Cheektowaga 14225
Thomas Slon	Cheektowaga 14227
Susan Sopczyk	Cheektowaga 14227
Susan Turner	Cheektowaga 14225
Tina Urso	Cheektowaga 14225
Janet Walentynowicz	Cheektowaga 14225
Linda Weigel	Cheektowaga 14225
Walter Wilson	Cheektowaga 14225

TENNIS DIRECTOR - \$1500.00

April Zolzer	Cheektowaga 14225
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TENNIS INSTRUCTORS - \$1200.00

Bob Anstey	Cheektowaga 14225
Laura Lageman	Cheektowaga 14225
Joseph Orzel	Cheektowaga 14225
Gerard Owczarczak	Cheektowaga 14206
Russell Reinagel	Cheektowaga 14225
Jeffrey Smith	Cheektowaga 14225
Alan Syracuse	Cheektowaga 14225
Randy Syracuse	Cheektowaga 14225
Janice Warren	Cheektowaga 14227
Laura Danner	Cheektowaga 14227

BASKET CHECKERS - \$2.20/hour

Mark Angrisano
Joyce Baginski
Judy Benczkowski
Nancy Benzin
James Bessing
Kenneth Bieger
Anita Bilotte
Bruce Blachowski
Diane Carol Bohrer
Ken Bojar
Nick Bolognese
Debra Bonfessuto
Thomas Boyle
Sandra Braun
Karen Brown

Item No. 10c cont'd

Sue Burns
Peter Catalfu
Sharon Champagne
John Choinski
Lisa Cieslik
David Ciszkowski
Wendy Cummings
Robert Derenda
Joan Marie Dumphy
Karen Dworzczyk
David Forma
Michael Franclemont
Kathleen Garmone
Carol Lynn Freier
Christopher Graue
Sharon Helinski
Kathryn Hess
Andrew Jerzewski
Valerie Kantor
Sandra Kaplan
Sharon Karp
Daniel Karpinski
Robert Kissel
Sue Klein
Shelly Kohl
Anne Marie Kosteiny
Maryann Kozlowski
AnnKrajewski
Cynthia Kroll
Penny Lasko
Mark Lauber
Michelle Leszczynski
Sally Lippert
Ronald Mackiewicz
Jackie McCoy
Peggy Cych
Cynthia Malczewski
Michael Masse
Tim Mayer
Nichele McEwen
Robert Miller
John Mulligan
Martin Napierski
Susan Noeller
David Nowak
Marty Nowak
Lynn O'Donnell
Kathy Orr
Cathleen Pajak
Thomas Pajak
Lori Peterson
Lisa Pirk
Mark Pokorski
William Ponholzer
Linda Ann Ruhland
Michael Russ
Cindy Saniewski
Brian Sauer
Kim Schwenberg
Mark Setlock
David Shalke
Cindy Skowronski
Nancy Skowronski
Richard Slisa
Lynnae Sliwinski
Chryl Smith
Gloria Smyntek
Chris Spade
Lori Stein
Michael Swiatek

Item No. 10c cont'd

Denise Syracuse
Marie Trawczynski
Anne Marie Trzaska
Renee Trzaska
Lisa Ann Urso
Michael Utz
Kathleen Wardzinski
Judith Wazny
Gary Wazny
Karen Weber
Lynn Weigel
Scott Weitz
Diane Wild
Barbara Wojcik
Doreen Zaleski
Michael Zurenda
Donna Zydel
Gerry Zydel
Mary Jane Kozlowski
Lynne Kozlowski

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Annual Spring Meeting of the New York Water Pollution Control Association will be held in Cooperstown, New York on June 10th thru 13th, 1979, and

WHEREAS, technical and legislative developments in the wastewater field are included in the seminars, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is authorized to attend same with all legal expenses to be reimbursed by the Town with said expenses not to exceed \$260.00 plus the registration fee.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 12 Building Permits
Received and Filed.

Item No. 13 Notice of Claim - Matthew Surowiecki vs Town of Cheektowaga
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 14 Dale Volker, Senator - letter regarding advance scheduling of
Broadway Improvement Project
Copies were sent to: The Town Board; Cheektowaga Traffic Safety
Commission.
This item was Received and Filed.

- Item No. 15 Dennis Gorski, Assemblyman - letter regarding Broadway Improvement Program
Copies were sent to: Town Board; Chester Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Cheektowaga Traffic Safety Commission.
This item was Received and Filed.
- Item No. 16 N.Y.S. Dept. of Trans. - letter advising of relocation of bus stop on Alpine and Genesee Street
Copies were sent to: The Town Board; Captain Lis, Police Dept.; Cheektowaga Traffic Safety Commission.
This item was Received and Filed.
- Item No. 17 E.C. Dept. of Trans. - letter regarding school speed zone on William Street
Copies were sent to: The Town Board; Captain Lis, Police Dept., Cheektowaga Traffic Safety Commission.
This item was Received and Filed
- Item No. 18 Copy of letter from R. Thill, Lancaster Town Clerk to Joseph Schultz, Village Attorney regarding local proposition on games of chance
Copies were sent to: The Town Board; John V. Rogowski, Town Attorney
This item was Received and Filed.
- Item No. 19 Letter from Tallamy, VanKuren, Gertis & Thielman (Engineers, Surveyors, Planners) regarding Eiffel North Subdivision.
Copies were sent to: The Town Board; Sal LaGreca, Planning Board Chairman.
This item was Received and Filed.
- Item No. 20 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

B I D S

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	<u>Meeting No. 14 June 18, 1979</u>	
2	Furnishing of all tools, equipment, materials & labor for	1
3	Traffic Control Signs, Sign Posts & Brackets	1
	<u>Meeting No. 16 July 2, 1979</u>	
2	Scajaquada Creek Structure Replacement	1

 PUBLIC HEARINGS

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2	Proposed "Mass Gatherings Ordinance"	1
	<u>Meeting No. 16 July 2, 1979</u>	
3	Amendment to the Traffic Ordinance - Art. X "Parking, Standing, Stopping" (Crandon Blvd., Greenleaf Lane, W. Sobieski St.)	1-2
	<u>Meeting No. 17 July 16, 1979</u>	
2	Variance to Anti-Noise Ordinance for Buffalo Trap & Field Club	1
3	Granting of tax exemptions for elderly residents	1
4	Amendment to Traffic Ordinance - Art. XIII "Truck Exclusions" - Bay Lane, Moorman Drive	1-2
5	Amendment to Zoning Ordinance - Article IV	2
6	Amendment to Zoning Ordinance - Articles I, VI, IX, IV, VI & XI	2-4

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RESOLUTIONS

* * * * *

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 13 June 4, 1979</u>		
3	Decision on Rezoning - 2989 Genesee St.	1
4	Decision on amendment to Traffic Ordinance - Art. X: "Parking, Standing, Stopping (various streets)	1-3
5	Agreement between Town and owners of Cathedral Heights re: Sewer pipes and excavations	4
6	Authorization for Supervisor to sign College Work Study Agreement for summer employee in Town Attorney's Office	4-5
7	Appointment of appraiser re: easement for Theresa Drive Drainage Project	5
8	Acceptance of Town Highways in Martinique Heights Subdivision	5
9	Authorization for Highway Superintendent to rework an existing drainage ditch	5-6
10	Approval of change order re: Autumnwood Drainage Project, Part II (addition to contract)	6
11	Create position of Fiscal Officer for Accounting & Payroll Depts.	6
12	Create position of Dog Warden	6
13	Summer help - various departments	6+7
14	Leave of absence for Police Officer in Chkty. Police Department	7
15	Authorization for Percival G. Bixby & Co. to file aid claims for capital projects	7-8
16	Disbursement of funds to various Town cultural associations	8
17	Warrant List	8
18	Transfer of Funds	8-9
<u>Meeting No. 14 June 18, 1979</u>		
4	Call for public hearing to amend Traffic Ordinance - Art. X - "Parking, Standing, Stopping" - Crandon, W. Sobieski and Greenleaf	1-2
5	Call for public hearing for rezoning at 580 French Road	3
6	Memorialize N.Y.S. Department of Environmental Conservation to defer granting of Landfill Permit to Wilfred Schultz	4
7	Request Erie County to issue a permit regarding No Parking on Walden Avenue	4
8	Memorialize Erie County regarding Solid Waste Management	5
9	Authorization for Supervisor to sign Facade Grant Agreement	5
10	Authorization for Supervisor to sign easement regarding Main Pumping Station	5-6
11	Amendment to the 1979 Catholic Charities Manpower Services, Inc. Agreement	6-7
12	Authorization for Supervisor to sign Agreement between Youth Board and J.C. Penney	7-8
13	Authorization for Supervisor to sign applications for grant-in-aid for construction of pollution abatement and ancillary facilities for Water Pollution Control Plant No. 5 and its service area	8
14	Authorization for Supervisor to sign addendum to Engineering Agreement as prepared by Nussbaumer & Clarke, dated 6/4/79 regarding S.S.D. #8	8-9

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
15	Authorization for Nussbaumer & Clarke to assist Town with regard to design and construction of waste water collection and treatment facilities for Sanitary Sewer District #5	9-10
16	Substitution regarding Umbrella Liability Insurance	10
17	Authorization for Central Garage to dispense gas to fire vehicles during gasoline emergency	10-11
18	Acceptance of portions of Town Highways in Martinique Heights Subdivision	11
19	Authorization for Supervisor to sign easement agreement between Town and owners of Martinique Heights Subdivision	11-12
20	Re-Advertise for bids for Scajaquada Creek Structure Replacement	12-13
21	Notice to Bidders for Snow plow blades, wing blades, cutting edges etc. for Highway	14
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Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of June, 1979 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman Donald J. Wegner

ABSENT: Councilman James R. Burst

Also present were: Richard M. Moleski, Town Clerk; John Rogowski, Town Attorney; Theodore DeFedericis, Chief of Police; Chester L. Bryan, Town Engineer; Alfred Wnek, Highway Superintendent; Ronald Marten, Building and Plumbing Inspector; Walter Dombrowski, Foreman, Sanitation Department; Jim Matecki, Director of the Facilities Department; Sal LaGreca, Assistant Manpower Program Director I; Al Thrun, Cheektowaga Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Julia Reinstein, Town Historian.

I. PUBLIC HEARING

Item No. 2 This was the time and place advertised for a public hearing to consider the advisability of adopting and enacting a "MASS GATHERINGS ORDINANCE" in the Town of Cheektowaga, New York; said Ordinance to be for the purpose of preserving the public peace and good order, preventing and suppressing riots, tumultuous assemblages, unnecessary crowds upon the public highways, unreasonably loud or disturbing noises and disorderly conduct within the Town of Cheektowaga and for the purpose of promoting the health, safety and general welfare of the community, including the protection and preservation of the property of the Town and of its inhabitants and peace and good order.

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

II. RESOLUTIONS

Item No. 3 Decision on Rezoning - 2989 Genesee Street.
Item Withdrawn.

Item No. 4 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 19th day of March, 1979 to consider the advisability of adoption of a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga which was adopted on July 17, 1967, 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 amendment to the Traffic Ordinance of the Town of Cheektowaga, County of Erie and State of New York, and said amendment is herewith adopted and enacted:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by adding thereto the following:

The parking of vehicles is hereby prohibited in any of the following locations:

A. No parking this side or one-side parking.

CROMWELL DRIVE	West side & North side	from the west curb line of CROYDON DRIVE to the north curb line of CROYDON DRIVE
CROYDON DRIVE	East side & South side	from the south curb line of COMO PARK BOULEVARD to the west curb line of CROMWELL DRIVE
IRONDALE DRIVE	East side:	from the south curb line of CROMWELL DRIVE to the north curb line of CROYDON DRIVE
ELY ROAD	South side:	from the east curb line of MARYWOOD DRIVE to terminus (Dead End)
OLD STONE ROAD	North side & East side	from the south curb line of GARFIELD DRIVE to the terminus
MARYWOOD DRIVE	West side, North side & East side	from the north curb line of COMO PARK BOULEVARD to the south curb line of OLD STONE ROAD
WYNDMOOR COURT	East side & North side	from the north curb line of COMO PARK BOULEVARD to the terminus
GREMLIN COURT	North side:	from the west curb line of WYNDMOOR COURT to the terminus
GARFIELD COURT	North side:	from the west curb line of MARYWOOD DRIVE to the terminus
HONORINE DRIVE	East side:	from the north curb line of COMO PARK BOULEVARD to the south curb line of ROWLEY ROAD
MESSER AVENUE	West side:	from the south curb line of COMO PARK BOULEVARD to the terminus
ROWLEY HOLLOW	West side & North side	from the north curb line of ROWLEY ROAD to the terminus
DEER TRAIL	South side & East side:	from the east curb line of ROWLEY HOLLOW to the south curb line of ROWLEY HOLLOW
OLD FARM COURT	North side, West side & South side	from the west curb line of OLD FARM ROAD to the west curb line of OLD FARM ROAD
OLD FARM ROAD	East side:	from the north curb line of ROWLEY ROAD to the terminus

Item No. 4 Cont'd.

LAWN COURT	West side:	from the north curb line of ROWLEY ROAD to the terminus
ST. BONIFACE ROAD	South side, East side & North side:	from the east curb line of McNAUGHTON AVENUE to the east curb line of McNAUGHTON AVENUE
ST. LUCIAN COURT	South side:	from the east curb line of ST. PAUL COURT to the west curb line of ROBERT COURT

Section 2. Time to take effect.

(a) This amendment 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 this amendment which is 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.

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

Section 4. Publication and Posting.

That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in the EXAMINER a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York, and affidavits of such publication and posting shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek and Wegner
NAYES: 0
ABSENT: Councilman Burst

AFFIDAVIT-NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, depose and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 7 day of June 1979 and ending on the _____ day of _____, 19____

Signed ^{NC} James L. Charters
Sworn to before me, on the 7
day of June, 1979

Patricia H. Young
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

**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 June, 1979 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson, Jr.

Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman Donald J. Wegner

ABSENT:

Councilman James R. Burst
Motion by Councilman Wegner
Seconded by Councilman Johnson

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Section 2. Time to take effect.

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(b) Any part or parts of this amendment which is 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.

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That this amendment to the Traffic Ordinance shall be entered in the minutes of this Town Board and shall be published in The Examiner a newspaper published in this Town, and a printed copy thereof shall be posted on the signboard maintained by the Town Clerk pursuant to Subdivision 6 of Section 30 of the Town Law of the State of New York, and affidavits of such publication and posting shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of this amendment specifying the date of adoption thereof.

Upon roll call

Supervisor Meyers	Voting	AYE
Councilman Swiatek	Voting	AYE
Councilman Johnson	Voting	AYE
Councilman Dux	Voting	AYE
Councilman Kaczmarek	Voting	AYE
Councilman Burst	Voting	ABSENT
Councilman Wegner	Voting	AYE
AYES:		8
NAYES:		0
ABSENT:		Councilman Burst

STATE OF NEW YORK
COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on June 4, 1979, and minutes of said meeting have been duly recorded in the Minute Book by me in accordance with law for the purpose of recording the minutes of meetings of said Board, and such minutes appear at item No. 4, 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 said 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 June 1979.

Richard M. Moleski
Town Clerk

Item No. 5 Agreement between Town and owners of Cathedral Heights re: Sewer pipes and excavations.
Item Withdrawn.

Item No. 6 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Marilyn Lew, , Cheektowaga, New York
has been hired for the summer as a Law Clerk in the Town Attorney's Office, and

WHEREAS, said Marilyn Lew is eligible for a College Work-Study Program whereby a portion of her salary will be reimbursed to the Town by Cleveland-Marshall College of Law, now, therefore, BE IT

RESOLVED that the Supervisor be and is hereby authorized to sign an Agreement with said Cleveland-Marshall College of Law for the reimbursement funds on behalf of the Town; a copy of said Agreement being attached hereto and made a part hereof.

*See next few pages for copy of agreement.

**CLEVELAND STATE UNIVERSITY
CLEVELAND-MARSHALL COLLEGE OF LAW
COLLEGE WORK-STUDY AGREEMENT**

This agreement is entered into between Cleveland State University, hereinafter known as the "University" and Town of Cheektowaga, New York, hereinafter known as the "Agency," a local public agency or private nonprofit organization, for the purpose of providing work to students eligible to participate in the College Work-Study Program.

Schedules to be attached to this agreement from time to time, bearing the signature of an authorized official of the University and of the Agency, will set forth brief descriptions of the work to be performed by students under this agreement, the total number of students to be employed, the hourly rates of pay, and the average number of hours per week each student will be utilized. These schedules will also state the total length of time the project is expected to run, the total percent, if any, of student compensation that the Agency will pay to the University, and the total percent, if any, of the cost of employers' payroll contribution to be borne by the Agency. The University will inform the Agency of the maximum number of hours per week a student may work.

Students will be made available to the Agency by the University for performance of specific work assignments. Students may be removed from work on a particular assignment or from the Agency by the University, either on its own initiative or at the request of the Agency. The Agency agrees that no student will be denied work or subjected to different treatment under this agreement on the grounds of race, color, national origin, or sex, and that it will comply with the provisions of the Civil Rights Act of 1964 (P.L. 88-352; 78 Stat. 252) and Title IX of the Education Amendments of 1972 (P.L. 92-318) and the Regulations of the Department of Health, Education, and Welfare which implement those Acts.

Transportation for students to and from their work assignments will not be provided by either the University or the Agency.

The Agency shall be deemed the employer for purposes of this agreement. It has the right to control and direct the services of the student, not only as to the result to be accomplished, but also as to the means by which the result is to be accomplished. The University shall be limited to determining that the students meet the eligibility requirements for employment under the College Work-Study Program, to assigning students to work for the Agency, and to determining that the students do perform their work in fact.

Compensation of students for work performed on a project under this agreement will be disbursed- and all payments due as an employer's contribution under State or local worker's compensation laws, under Federal or State Social Security laws, or under other applicable laws, will be made- by the Agency. The Agency shall withhold the appropriate Federal and other payroll taxes from the student's pay. The Agency shall be responsible for maintaining accurate time records of students employed.

At such times as are agreed upon in writing, the University will pay to the Agency an amount calculated to cover the Federal share of the compensation of students employed under this agreement and paid by the Agency. Under such an arrangement the Agency will furnish to the University for each payroll period the following records for review and retention:

- (a) Time reports indicating the total hours worked each week and containing the supervisor's certification as to the accuracy of the hours reported and of satisfactory performance on the part of the students;
- (b) A payroll form identifying the period of work, the name of each student, his/her pay rate per hour, the number of hours worked, his/her gross pay, all deductions and net earnings, and the total Federal share applicable to each payroll; and
- (c) Documentary evidence that students received payment for their work, such as photographic copies of cancelled checks.

The Agency shall bill the University monthly using the Reimbursement Request form for the Federal share, or 80%, of salary exclusive of the employer's share of payments made under Federal or State Social Security laws or under other applicable laws.

Students who are employed under this agreement shall work not more than an average of 20 hours per week during a quarter while enrolled in classes and not more than 40 hours per week at any other time. Rates of pay should be determined using the attached criteria as a guideline. During this period the positions shall include, but not be limited to, the descriptions attached.

THIS AGREEMENT SHALL BEGIN _____ AND CONTINUE UNTIL _____.

FOR THE UNIVERSITY:

Work Study Coordinator Date

Budget Officer Date

Town of Cheektowaga, New York
AGENCY

Broadway & Union Road
Address

Cheektowaga, N. Y. 14227
City State Zip

686-3457
Telephone Number

Tax Exempt No. Federal ID No.

Kenneth J. Meyers
Printed Name

Supervisor
Title

x Kenneth J. Meyers 6/4/79
Signature for the Agency Date

CLEVELAND STATE UNIVERSITY
LAW OFF-CAMPUS WORK-STUDY PROGRAM
125 LAW BUILDING
CLEVELAND, OHIO 44115

POSITION DESCRIPTION / LAW OFF-CAMPUS WORK-STUDY

NAME OF AGENCY Town of Cheektowaga, New York (Town Attorney's Office)
ADDRESS Broadway and Union Road **PHONE** 716-686-3457
CITY Cheektowaga **STATE** New York **ZIP** 14227
STUDENT SHOULD APPLY TO John V. Rogowski **TITLE** Town Attorney
DATE PROJECT BEGINS June 15, 1979 **ENDS** September, 1979
BETWEEN THESE DATES WE PLAN TO USE 1 **STUDENTS IN POSITION:**
number
POSITION DESCRIPTION (Use separate forms for each different job).
Law Clerk Assistant in Town Attorney's Office

PAY RANGE IS:

4.00 per hr. -

Kenneth J. Meyer
AGENCY APPROVAL (Signature)

June 4, 1979
DATE

FOR FURTHER INFORMATION REGARDING PROGRAM, CALL 687-2332, CSU LAW PLACEMENT OFFICE

Item No. 6 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 7 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is presently engaged in a drainage project on Theresa Drive which requires an appraisal of a parcel of property for the purpose of possible condemnation proceedings, now, therefore, BE IT

RESOLVED that Robert Laport, with offices in the Statler Hilton, Buffalo, New York, be and hereby is retained to appraise said parcel of property owned by Polygon Associates, Inc., and BE IT FURTHER

RESOLVED that Robert Laport be paid the reasonable fee for said service, said fee not to exceed the sum of \$260.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 8 Acceptance of Town Highways in Martinique Heights Subdivision.
Item Withdrawn.

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, it is necessary to construct a drainage ditch through the rear properties of 4796, 4798 and 4800 Transit Road to alleviate a flooding and erosion problem on said properties and properties west of the above properties on Prince Drive of the Del Prince Estates Subdivision, AND

WHEREAS, said drainage ditch is part of drainage ditch D-10 as noted in the "Drainage System Ordinance and Official Drainage System Map" as adopted by a Town Board resolution dated April 17, 1978, AND

WHEREAS, New York State Highway Law permits the Town Highway Superintendent to construct drainage ditches without benefit of easements as defined in a letter from the Town Engineer dated May 31, 1979 and considered part of said resolution, AND

WHEREAS, permanent easements are desired for ditch maintenance,
NOW, THEREFORE, BE IT

RESOLVED, that the Town Highway Superintendent be directed to initiate action to construct said ditch to correct the erosion problem and eliminate surface flooding, and, BE IT FURTHER

RESOLVED that the Town Attorney be directed to initiate action to obtain the necessary easements.

*See next two (2) pages for copy of letter.



Town of Cheektowaga

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

WESTER L. BRYAN, P.E.
TOWN ENGINEER

686-3449

May 31, 1979

**TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA**

**RE: Easements to Correct
A Drainage Problem**

Gentlemen:

The Engineering Department is concerned with the likely flooding of properties on Prince Drive from waters of Transit Road and the Town of Lancaster. The solution is to construct a drainage ditch from the existing drainage ditch south along the rear lots of three (3) properties on Transit Road. These lots are approximately 1,100 feet deep. Waters will then draw to the newly constructed storm sewer that was installed as a requirement of the K-Mart plaza approval. The proposed 200 ft. ditch is shown on our Master Drainage Plan and identified as D-10.

Deputy Town Attorney, James J. Kirisits, in his letter of September 27, 1978 to Mr. Wnek, Highway Superintendent, quoted the following statutory provision.

"Highway Law 5147(1): The Town Superintendent of Highways may, when directed by the County Superintendent, and when authorized by the Town Board, enter 'Upon any lands adjacent to any of the highways in the Town, for the purpose of opening an existing ditch or drain, or for digging a new ditch or drain for the free passage of water for the drainage of such highways'."

It is, therefore, requested that based on this provision of the Highway Law, your Honorable Body direct our Highway Superin-

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS

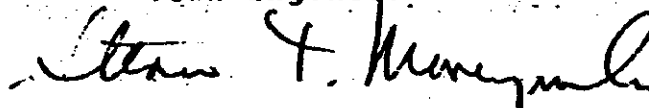
May 31, 1979
Page 2

tendent to construct said ditch. Easement acquisition should
proceed while the drainage system is resolved.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer



BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 9 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 10 Approval of change order re: Autumnwood Drainage Project, Part II
(addition to contract).
Item Withdrawn.

Item No. 11 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the necessary PO-17 forms have been sent to the Erie
County Department of Personnel creating the position of "Fiscal Officer" in the
Accounting and Payroll Departments, and

WHEREAS, the Erie County Department of Personnel has approved the
creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Fiscal Officer" be and hereby is
created.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the necessary PO-17 forms have been submitted to the
Erie County Department of Personnel for the creation of a full-time Dog Warden
position, and

WHEREAS, the Erie County Department of Personnel has approved the
creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of full-time Dog Warden be and hereby
is created.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 13 Motion by Councilman Kaczmarek, seconded by Councilman Dux

RESOLVED that the following individuals are hereby hired as
seasonal employees in the Departments listed below:

Recreation Department - Tennis Instructors - \$1,200.00 for 10 weeks:

Gary Anstey -
Heidi Juhl -
Kris Schum -

Park Attendants - \$2.90 / hour:

Nancy Aguglia -
Paula Arcara -
Gail Ruminski -
Paul R. Virtel -

Item No. 13 Cont'd.

Basket Checkers - \$2.20 / hour:

Anita Bilotte -
David Grzybek -
Donna Jusiak -
Debbie Kucharski -
Sandy Lyon -
Mike Vogl -

Transfer from Park Attendant to Basket Checker:

Ann Marie Aguglia -

Transfer from Park Attendant to Arts & Crafts Instructor -
\$1,500.00 for 10 weeks:

Cynthia Feyrer -

Assessors Office - Clerical employee at \$2.90 / hour:

Karen Brudz -

Sewer Maintenance - Laborer at \$2.90 / hour:

Michael Gliniski -
Mike Ickowski -

Facilities Department - Laborer at \$2.90 / hour:

Don Halicki Jr. -

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Officer Richard Mamott, of the Cheektowaga Police Dept.
has requested a one-year leave of absence without pay, due to medical reasons,
and

WHEREAS, Section 23.01 of the current contract in effect between
the Town of Cheektowaga and the Cheektowaga Police Club, provides for a leave of
absence without pay, NOW, THEREFORE, BE IT

RESOLVED that Officer Richard Mamott, of the Cheektowaga Police
Club be and hereby is granted a one-year leave of absence, without pay, from his
position in the Cheektowaga Police Department; said leave of absence effective
the date of this resolution.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga is currently involved in a number
of Federally and State aided capital projects, and

WHEREAS, numerous forms and other documentation are required to
obtain this aid, and

WHEREAS, an acceptable "USER" and Industrial Cost Recovery formula

Item No. 15 Cont'd.

must be developed by the Town for the Environmental Protection Agency, and is required for the continued aiding of several of these projects, and

WHEREAS, Percival G. Bixby and Company, CPA's have been assisting in filing for this aid for two years at a separate fee, NOW, THEREFORE, BE IT

RESOLVED that Percival G. Bixby & Company, CPA's be authorized to continue to file these aid claims and assist in the development of acceptable USER formulas at a fee not to exceed \$11,500.00, chargeable to the various capital projects served for the period May 1979 through March 1980.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 16 Disbursement of funds to various Town cultural associations.
Item Withdrawn.

Item No. 17 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to June 4th, 1979 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NO.		AMOUNT
	FROM	TO	
GENERAL FUND	10665	10778	\$ 307,800.15
PART TOWN FUND	1174	1187	6,704.25
SPECIAL DISTRICT FUND	5955	5990	588,918.02
HIGHWAY FUND	4527	4560	48,253.05
TRUST AND AGENCY FUND	663	665	51,566.47
CAPITAL FUND	204	207	53,464.92
FEDERAL REVENUE SHARING FUND	125	136	1,897.60
H.U.D.-C.D.B.G. FUND	159		77.00
H.U.D.-N.P.P. FUND	108		1,697.50
			<u>\$1,060,378.96</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 18 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the fund transfer per the attached sheet is hereby approved and made a part hereof, and, BE IT FURTHER

RESOLVED that funds in the amount of \$3,327.00 be transferred from Contingency (A.1990.480) to Police Retirement (A.9015.711).

*See next page for fund transfer.

TOWN OF CHEEKTOWAGA, NEW YORK
 BUDGET TRANSFER REQUEST

BOARD OF ELECTIONS
 Department

MAY 22, 1979
 Date

_____ Fund

<u>FROM</u>			<u>TO</u>	
Account	Title	\$	Account	Title
A1450.122	Election Inspectors	\$15,000	A1450.443	Equipment Repairs

Richard M. Maleski
 Signature

Explanation Transfer needed to recondition 31 voting machines at the bid price of \$450
per machine -- low bid of Automatic Voting Machine Election Systems Division.

Item No. 18 Cont'd.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

III. GENERAL COMMUNICATIONS

Item No. 19 Hy-View Fire District No. 8 - Correspondence re: Emergency fuel supply from Town.

Item referred to Honorable Members of the Town Board and George Burst, Auto Mechanic Foreman; received and filed.

Item No. 20 Tallamy, Van Kuren, Gertis & Thielman--Engineers, Surveyors, Planners - Communication and request to speak re: Eiffel North Subdivision, Towers Blvd. and Losson Road.

Item referred to Honorable Members of the Town Board and Sal LaGreca, Planning Board Chairman; received and filed.

IV. SUSPENSION OF RULES

Item No. 21 Retention of law firm relative to Theresa Drive Drainage Project.

Motion by Supervisor Meyers, seconded by Councilman Johnson

BE IT RESOLVED that the law firm of Kavinsky, Cook, Hepp, Sandler, Gardner and Wisbaum, located at 120 Delaware Avenue, Buffalo, New York, be and hereby is retained to represent the Town of Cheektowaga in any necessary condemnation proceedings involving an easement on any property necessary for the Theresa Drive Drainage Project, and BE IT FURTHER

RESOLVED that their reasonable fees and expenses be paid by the Town.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 22 Leave of absence (from previous position) for employee in the Assessors Office.

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, William Conway was appointed provisionally to the position of Assistant Field Assessor by Town Board resolution dated February 26, 1979, and

WHEREAS, it will be necessary for Mr. Conway to submit to a Civil Service examination to retain this position, NOW, THEREFORE, BE IT

RESOLVED that William Conway is hereby granted a one-year leave of absence from his previous position of Clerk in the Assessor's Office, while he is on provisional appointment; said one-year leave of absence retroactive to February 26, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 23 Memorialize N.Y.S. Legislature to enact legislation re: Added suburban representation to the Board of the Buffalo Sewer Authority.

Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, waste water treatment of sewage collected in certain parts of the Town of Cheektowaga has been provided by the Buffalo Sewer Authority on a contractual basis, and

WHEREAS, payment is made for this service by Town taxpayers in those areas being served, and

WHEREAS, when the Buffalo Sewer Authority's new treatment plant is fully operational next summer, the cost to Town taxpayers being serviced by it will increase, and

WHEREAS, decisions of the Authority concerning rate charges and other policies are made by a Board which is composed only of residents of the City of Buffalo, appointed by its Mayor and confirmed by its Council, and

WHEREAS, while this Town has the responsibility for levying taxes to finance the sewage treatment charges, it has no opportunity at present to be directly represented on the Board which has the authority to set charges and determine policy, and

WHEREAS, it would be appropriate if suburban representatives, appointed by suburban elected officials, could be included in the membership of the Buffalo Sewer Authority, and

WHEREAS, such representation should be proportional to the percentage of the waste water treated at the Authority's plant which is generated from suburban communities, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Cheektowaga does hereby memorialize the New York State Legislature to enact legislation which would add at least three suburban representatives to the Board of the Buffalo Sewer Authority, and provide that these additional members be appointed by elected public officials representing those areas which are served by the Authority on a contract basis, and BE IT

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to State Assemblyman Dennis Gorski, State Senator Dale Volker, Stanley Fink, Speaker of the Assembly and Warren Anderson, Majority Leader of the State Senate.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek and Wegner
NAYES: 0
ABSENT: Councilman Burst

Item No. 24 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of June, 1979 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Robert Miller, Deputy Town Attorney, Chester Bryan, Town Engineer; Julia Reinstein, Town Historian; Sal LaGreca, Assistant Manpower Program Director I; Dr. Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Chief DeFedericis; Ron Marten, Building and Plumbing Inspector; Ron Zoeller, Working Foreman in the Sanitation Department; Legislator Richard Slisz.

I. BIDS

Item No. 2 Furnishing of all tools, equipment, materials & labor for Scajaquada Creek Structure Replacement
This item was withdrawn. See Item No. 20.

Item No. 3 Traffic Control Signs, Sign Posts & Brackets
This item was referred to Chester Bryan, Town Engineer.

II. RESOLUTIONS

Item No. 4 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967 at 7:00 P.M., Eastern Daylight Saving Time 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 amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in THE EXAMINER, on the 21st day of June, 1979; said amendment being set forth in the Notice of Hearing.

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 2nd day of July, 1979 at 7:00 P.M., Eastern Daylight Savings Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

Item No. 4 cont'd

B. No parking anytime:

CRANDON BOULEVARD north side: from the east curb line of BISCAYNE DRIVE
to the west curb line of LOU ANN DRIVE

Section 102 is amended by adding thereto the following:

B. No parking anytime:

CRANDON BOULEVARD North side: from the east curb line of BISCAYNE DRIVE
to the west property line of 256 CRANDON
BOULEVARD

CRANDON BOULEVARD North side: from the east property line of 100 CRANDON
BOULEVARD to the west property line of 166
CRANDON BOULEVARD

GREENLEAF LANE North side: from the east curb line of RIDGE PARK
AVENUE to a point 350 feet therefrom

WEST SOBIESKI STREET North side: from the east curb line of DICK ROAD
to the west curb line of BUELL STREET

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 18, 1979

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 21 day of June, 1979, and ending on the _____ day of _____, 1981

Signed James L. Charters
Sworn to before me, on the 21st
day of June, 1979

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE OF HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on the 2nd day of July, 1979 at 7:00 p.m. Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping
Section 102 is amended by deleting therefrom the following:

B. No parking anytime:
CRANDON BOULEVARD - north side: from the east curb line of **BIS-CAYNE DRIVE** to the west curb line of **LOU ANN DRIVE**.

Section 102 is amended by adding thereto the following:

B. No parking anytime:
CRANDON BOULEVARD - north side: from the east curb line of **BIS-CAYNE DRIVE** to the west property line of **256 CRANDON BOULEVARD**.

CRANDON BOULEVARD - north side: from the east property line of **100 CRANDON BOULEVARD** to the west property line of **166 CRANDON BOULEVARD**.

GREENLEAF LANE - north side: from the east curb line of **INDIE PARK AVENUE** to a point 350 feet therefrom.

WEST SOBIESKI STREET - north side: from the east curb line of **BICK ROAD** to the west curb line of **BUELL STREET**.

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

Dated: June 18, 1979
RICHARD M. MOLESKI
Town Clerk

Item No. 5 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, Irshad Ali has made application and requested the rezoning of property located at 580 French Road from R-Residential to RC-Restricted Business, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 2, 1979 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Road.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
 Burst and Wegner

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION



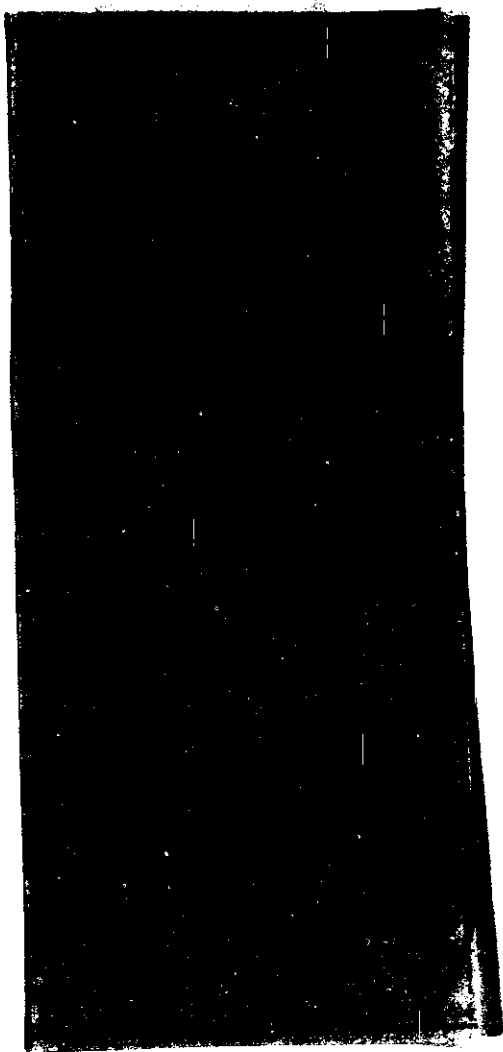
Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE

ss.



George J. Measer
being duly sworn, deposes and says that he is the
Publisher of the
Cheektowaga News, a
public newspaper published at
Williamsville, New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for 1 weeks, the first
insertion being on the 21 day of June,
1979, and the last insertion being on the same
day of , 19.

Subscribed and sworn to before me this 21 day

of June, 19 79

Susan Schasel Susan Schasel
Notary Public in and for Erie County

SUSAN SCHASEL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 6 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, this Town Board is concerned about uncontrolled land filling within the Town of Cheektowaga, and

WHEREAS, the New York State Department of Environmental Conservation has previously granted a Landfill Permit to Newco, Inc. which permit allowed a fill height which, in the opinion of this Town Board, is detrimental to the Town, both environmentally and aesthetically, and

WHEREAS, the New York State Department of Environmental Conservation is considering the granting of a permit for the disposal of demolition materials to Wilfred Schultz without any limitations on the height of filling, and

WHEREAS, on February 26, 1979, a negative declaration under the State Environmental Quality Review Act was issued by the lead agency, New York State Department of Environmental Conservation, months prior to the submission of a proposed grading plan, and

WHEREAS, the negative declaration was issued without addressing the concerns of neighboring property owners and the Town regarding height limitations, and

WHEREAS, this Town Board deems a reappraisal of this negative declaration is necessary in light of the recently submitted grading plan, which indicates that all of the facts having to do with the proposed land filling operation were not available at the time of environmental review, and

WHEREAS, this Town Board desires to adopt an ordinance to control filling operations and address said ordinance to place restrictions on height of filling and drainage control, and

WHEREAS, the grading plan and the drainage plan filed for the proposed Schultz Demolition Site are not acceptable to the Town Engineering Department, NOW, THEREFORE, BE IT

RESOLVED that this Town Board memorializes the New York State Department of Environmental Conservation to defer the granting of a Landfill Permit to Wilfred Schultz until the opportunity is afforded to neighboring residents to voice concerns and until a meeting is held with the Town Board in order to place height restrictions, and BE IT FURTHER

RESOLVED that this Town Board considers landfilling without height restrictions to be environmentally unacceptable.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Dux

WHEREAS, a recommendation has been made by the Cheektowaga Traffic Safety Commission that No Parking Anytime restrictions be placed on the north and south side of Walden Avenue, c.r. from the east curb line of Harlem Road, Rt. 240 to the west entrance-exit to the New York State Thruway, NOW, THEREFORE, BE IT

RESOLVED that the County of Erie be and is hereby requested to issue a permit to the Town of Cheektowaga authorizing the Town to install No Parking Anytime signs on the north and south side of Walden Avenue c.r. from the east curb line of Harlem Road, Rt. 240 to the west entrance-exit to the New York State Thruway, and BE IT FURTHER

RESOLVED that the Town Clerk forward a certified copy of this resolution to the office of the Deputy Commissioner of Highways of the County of Erie to the attention of George J. Triepel, Jr., Traffic Engineer.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

6/18/79

Item No. 8 Memorialize Erie County regarding Solid Waste Management
Motion by Councilman Kaczmarek, seconded by Councilman Sivatek
to table the item memorializing Erie County regarding Solid Waste Management

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Johnson, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga has received a Community Development
Block Grant award in the amount of \$200,000 from the County of Erie for the purpose
of Commercial Revitalization on Walden Avenue, and

WHEREAS, the \$200,000 grant award received from the County of Erie
includes provisions for the award of Facade Improvement Grants to owners of
commercial property on Walden Avenue within the Town of Cheektowaga, NOW,
THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and
hereby is authorized to sign an agreement with the owner listed below for the
purpose of disbursement of Facade Improvement Grant funds, in a sum not to exceed
\$15000 in each instance:

Mr. Walter F. Czerwonka

Commercial Property: 1238 Walden Avenue
1228 Walden Avenue

and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to
John Mowatt, Director of Erie County Community Development, 95 Franklin Street,
Buffalo, New York 14202.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town has received an original and one copy of an
Easement from New York State Electric & Gas Corporation, and

WHEREAS, said Easement is for underground electric service for the
main pump station, Sewer District No. 5, Central Boulevard, Cheektowaga, New York,
and

WHEREAS, it is practical to grant said Easement to New York State
Electric & Gas Corporation, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and is hereby authorized to sign
said Easement on behalf of the Town, a copy of said Easement being attached hereto
and made a part hereof.

* See next two pages for easement

Easement

THE UNDERSIGNED, hereinafter called the Grantor(s), being the owner(s) of or having an interest in land situate in the Town of Cheektowaga, County of Erie, State of New York, fronting on the street or highway known as CENTRAL BLVD. and bounded easterly by the land of _____ and westerly by the land of _____

In consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants and releases unto NEW YORK STATE ELECTRIC & GAS CORPORATION (the Grantee), a corporation organized under the laws of the State of New York, having an office in the Town of Dryden (no street address), County of Tompkins, State of New York, its successors, assigns, by the Grantee,

A PERPETUAL EASEMENT AND RIGHT OF WAY, in, through, under, and to the extent necessary, upon and over said parcel of land for the purpose of installing electric cables, vaults, pipes, ducts, conduits and other necessary fixtures and appurtenances, including transformers and switching equipment, as may be used or adopted for the transmission and/or distribution of underground electric current for public or private use, with the right, privilege and authority now or at any time hereafter, to install, construct, operate, repair, inspect, maintain, extend, and at its pleasure remove such facilities, together with the right of ingress and egress to said facilities for all of the above purposes.

The easement and right of way granted and released is 15 feet in width throughout its extent, situate, lying, and being as follows:

All as shown on the map marked Exhibit "A" attached hereto and made a part hereof.

PROVIDED HOWEVER, that any damage done by the Grantee to the property of the Grantor, while constructing, repairing, inspecting, removing or extending its facilities, shall be borne by the Grantee.

RESERVING, HOWEVER, to the Grantor(s), the right to cross and re-cross, and make such other uses of said easement and right of way area as will not interfere with, obstruct or endanger any rights as aforesaid granted and which shall not disturb the grade of the ground of said easement and right of way area.

AND FURTHER PROVIDED, that no structure shall be erected and no excavating, mining or blasting shall be undertaken within the limits of said easement and right of way without the written consent of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal this day of June, 1979.

IN PRESENCE OF:

Richard M. Mleski
Town Clerk

TOWN OF CHEEKTOWAGA, NEW YORK

By: Kenneth J. Meyer (L.S.)
Supervisor
Address: Town Hall
Broadway and Union Road
Cheektowaga, N.Y. 14227

Address: _____

Easement

(Personal Acknowledgment)

(Subscribing Witness Acknowledgment)

(Corporate Acknowledgment With Seal)

Line
Auth. Parcel No.
Area Cost Center No.
Construction W. O. No.

State of New York }
County of } ss:

State of New York }
County of } ss:

State of New York }
County of } ss:

On this day of
19....., before me, the subscriber, personally appeared

On this day of
19....., before me personally came

On this 19 day of JUNE
1979, before me came

TO
**NEW YORK STATE ELECTRIC
& GAS CORPORATION**

to me personally known and known to me to be the same person... described in and who executed the within Instrument and duly acknowledged to me the execution of the same.

the subscribing witness to the foregoing Instrument, with whom I am personally acquainted, who being by me duly sworn, did depose and say that he resides at

Kenneth J. Meyers
to me personally known, who, being by me duly sworn, did depose and say that he resides at 305 McLaugh-
ton Avenue

in the Town of Cheektowaga, N. Y.
of
and that he is Supervisor 4
of the Town of Cheektowaga, N.Y.

the corporation described in and which executed the above Instrument that he knows the seal of said Corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed h name thereto by like order.

Dated, 19.....

(Notary Public)

in the
of
that he knew

to be the individual... described in and who executed the foregoing Instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time, subscribed h name as witness thereto.

Linda Dezell
(Notary Public)

LINDA BAER-DEVELL
Notary Public, State of New York
Qualified in ERIE COUNTY
My Commission Expires March 28, 2080

State of New York }
County of } ss:

Recorded on the day of
....., 19.....
at o'clock M.
In Book of Deeds at
Page and examined.

REMARKS

Paid from Working Fund Office
Ck. No. Amt. Date
Ck. No. Amt. Date

Consideration on this document is less than \$100.00.

(Notary Public)

(Clerk)

RETURN TO
CORPORATE DOCUMENT DEPARTMENT
NEW YORK STATE ELECTRIC & GAS CORP.
POST OFFICE BOX 287
ITHACA, NEW YORK 14850

NEW YORK STATE ELECTRIC & GAS CORPORATION

TITLE UNDERGROUND DISTRIBUTION INSTALLATION
CENTRAL BLVD.

Dwg. No. 31-16

Job No. 31109-

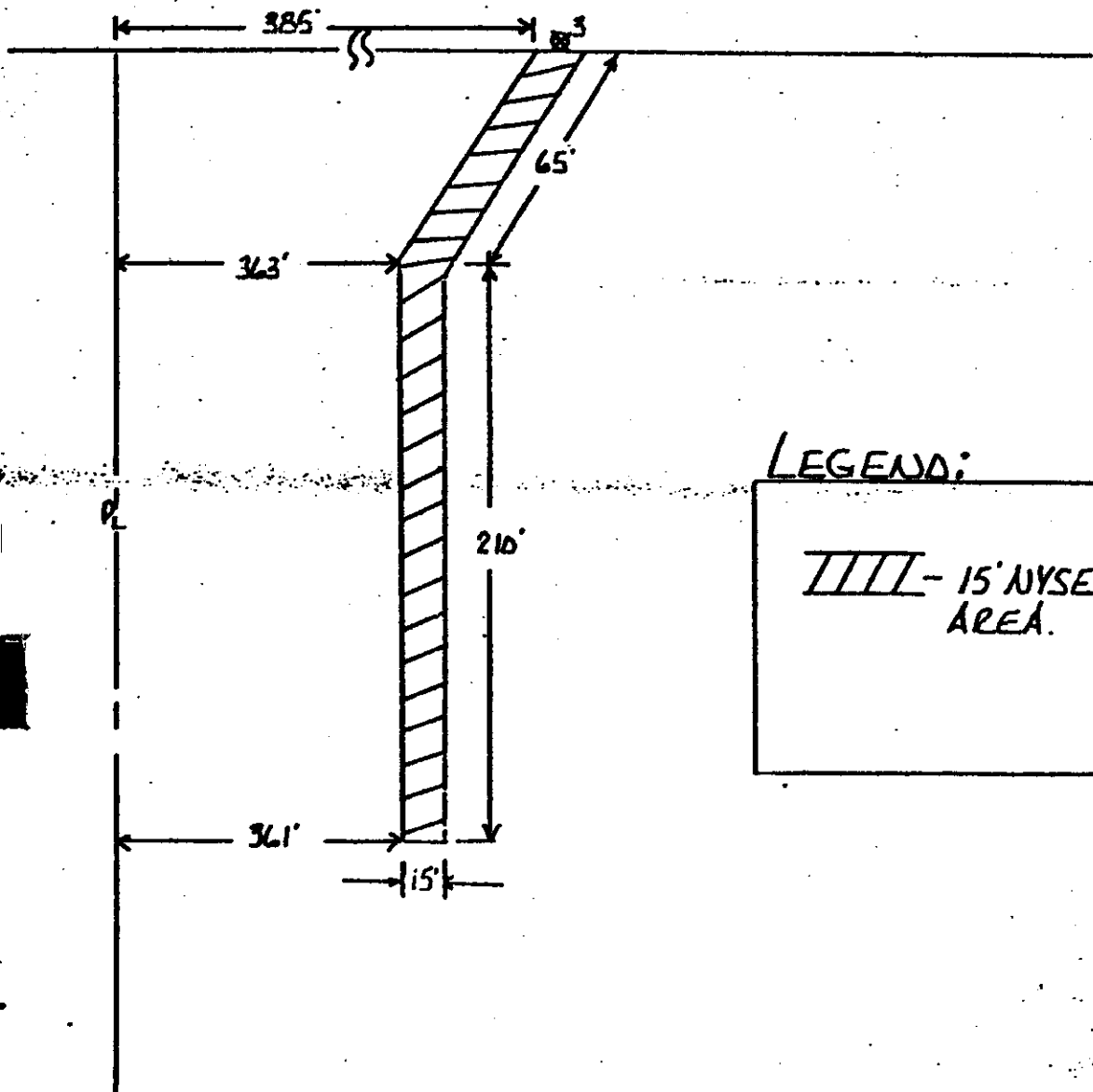
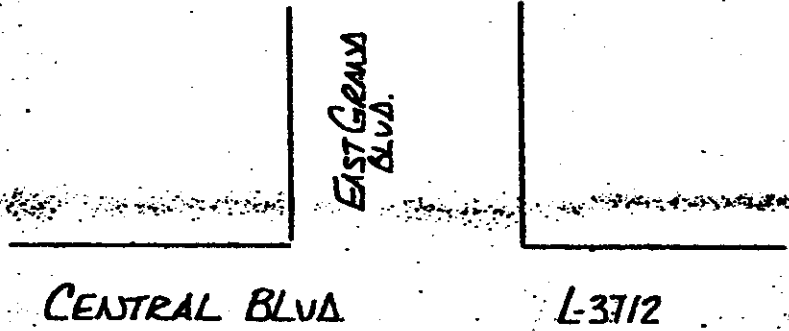
LOCATION CHEEKTOOWAGA, TN

DWG. BY LJK DATE 5-21-79 CHK. BY _____ DATE _____ APP'D. BY _____ DATE _____

REVISED _____

CH-1379

Exhibit "A"



LEGEND:

|||| - 15' NYSEG COPP. EASEMENT AREA.



CENTRAL BLVD.

L-3712

16' PHASE
#4/33
20' 3"
72/12.47KV
ROW

EASEMENT
AREA

72/12.47KV PRL
285'

DRIVE

DRIVE



SEE UGITS. 277/480V 3Ø
AND UOVE
BOOKS DEPEND

DIST OWNED U.C. SERVICE
#5673 - 750 ACU CU.
277/480V 3Ø AND UOVE

FOR ROW DONT USE ONLY

NOTE:
PRL CABLE TO BE #2M. 15KV SINGLE PHASE SHIELD
WITH CONDUCTIVE CENTRAL.
ELEC CONTRACTOR TO INSTALL BURIED ROSTS
AFTER INSTALLATION OF PRT.
REFER TO 31120. FOR INSTALLATION OF
3Ø. OWN. PHASE WIRE

Item No. 10 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau has previously entered into an agreement with Catholic Charities Manpower Services, Inc. to provide Comprehensive vocational, educational and personal adjustment counseling for school drop-outs, and

WHEREAS, student surveys and interviews conducted by the Project Staff have shown that self-termination from the school setting can be symptomatic of a larger family problem, and

WHEREAS, the Cheektowaga Youth Bureau is eligible for a special youth developmental and delinquency prevention grant from the New York State Division for Youth, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga Youth Bureau be and is hereby authorized to amend its 1979 Agreement with Catholic Charities Manpower Services, Inc. to provide for a Family Assistance Counselor for the remainder of this fiscal year (July 16 - December 31, 1979) at a sum not to exceed \$6,446.00 which will be fully reimbursed by the New York State Division for Youth at no cost to the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said amended Agreement which is attached hereto and made a part hereof.

* See next page for amendment

AMENDMENT

to

AGREEMENT dated the 10th day of November,
1978 by and between the TOWN OF CHEEKTOWAGA
and CATHOLIC CHARITIES MANPOWER SERVICES, INC.

1.a To provide for a Family Assistance Counselor for the
remainder of this fiscal year (July 16 - December 31, 1979) at a sum not
to exceed \$6,446.00 which will be fully reimbursed by the New York State
Division for Youth at no cost to the Town of Cheektowaga.

Dated: June 18, 1979

TOWN OF CHEEKTOWAGA

By- Kenneth J. Meyer
Supervisor

CATHOLIC CHARITIES MANPOWER SERVICES, INC.

By- John J. [Signature]
Diocesan Director

Item No. 11 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 12 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau has promoted conservation and physical fitness activities through the construction of various nature trails as part of its Youth Conservation Corps and Hometown Beautification Programs, and

WHEREAS, the J.C. Penney Company, Inc. has promoted nationally the development of physical conditioning courses on public lands through the development of a plan for trail construction and through the provision of signs marking the trails and each exercise station, and

WHEREAS, the J.C. Penney Company, Inc. is desirous of assisting the Cheektowaga Youth Bureau in the construction and promotion of its physical conditioning trail, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor hereby is authorized to sign the attached agreement on behalf of the Town of Cheektowaga.

* See next two (2) pages for agreement

AGREEMENT

**AGREEMENT WITH
A PARTICIPATING
J.C. PENNEY
STORE**

This Agreement dated this 18th day of June, 1979
among J.C. Penney Company, Inc.

Address Thruway Mall; Cheektowaga, New York 14225

and,

Governmental Office/Local Parks

Department Town of Cheektowaga Youth Bureau

Address Broadway and Union Road; Cheektowaga, New York 14227

J.C. Penney, with the cooperation of and support from the Cheektowaga Youth Bureau and the local parks department, hopes to develop a physical conditioning course of one to two miles ("The Exercise Trail") on public lands for the use of the general public in this community. To this end, each of the parties to this Agreement shall have various responsibilities with respect to the planning, construction and maintenance of the Exercise Trail.

1. J.C. Penney shall provide the following:

- a. A common master plan for the development and construction of the Exercise Trail. Such plan shall show the layout for the trail and indicate the construction materials to be used.
- b. Signs for marking the trail and signs for each exercise station.
- c. In the sole discretion of the local J.C. Penney store manager, J.C. Penney may provide funds for construction materials or the construction materials themselves.
- d. A J.C. Penney coordinator to work with the local parks department.
- e. Publicity materials to help gain public recognition of the Exercise Trail.
- f. Assistance in planning and publicizing the grand opening events.

2. The Cheektowaga Youth Bureau shall provide the following:

- a. Individuals to help plan and to construct the Exercise Trail in accordance with the common plan.
- b. A coordinator to work with J.C. Penney.
- c. Assistance in planning and executing the grand opening events and other programs to insure the continued use of the Exercise Trail.

RECEIVED

JUN 22 1979

Richard M. Moleski, Town Clerk

AGREEMENT

- d. A suitable site on which to construct the Exercise Trail.
 - e. Review the common plan for the construction of the exercise stations to assure its engineering soundness for the local site and local soil conditions.
 - f. A representative to work with J.C. Penney.
 - g. Assistance in the layout of the course and supervision of all construction activity.
3. The parties agree that the Exercise Trail shall be open to the general public at no charge.
4. Upon completion of the Exercise Trail and prior to its opening, a representative of the Cheektowaga Youth Bureau and the local parks department shall inspect and approve all structures on the Exercise Trail. The Cheektowaga Youth Bureau and the local parks department shall then be responsible for the maintenance and upkeep of the approved Exercise Trail. J.C. Penney shall maintain for a period of three (3) years after completion of the Exercise Trail a supply of replacement signs for the Exercise Trail at a central location which may be purchased by the Cheektowaga Youth Bureau and the local parks department at Penney's cost.
5. a. During the period of construction and until acceptance by the municipality of the Exercise Trail, each party to this Agreement releases and holds harmless the other party hereto from and against any and all costs, loss, expenses, liability, damages, settlements or claims including reasonable attorney's fees arising from any death or injury to persons or damage to or destruction of property resulting from the construction of the Exercise Trail or from any actual or alleged act, omission or negligence of the party.
- b. After approval of and acceptance of the Exercise Trail by the municipality, the municipality shall indemnify and hold harmless J.C. Penney from and against any and all costs, loss, expenses, liability, damages, settlements or claims including reasonable attorney's fees arising from the death or injury to persons or damage to or destruction of any property resulting from any actual or alleged act, omission or negligence of any of the parties.
6. In the event this project is not completed for any reason whatsoever, this Agreement shall be terminated with no further liability to either party.

Name Kenneth J. Meyer
Organization TOWN OF CHEEKTOWAGA

Name J.C. Penney
Organization J.C. Penney

Item No. 12 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, by resolution of the Town Board of the Town of Cheektowaga, dated March 17, 1975, the Supervisor was authorized to file on behalf of the Town, an application for a grant-in-aid for the construction of pollution abatement and ancillary facilities for Water Pollution Control Plant No. 5 and its service area, and

WHEREAS, since the filing of the original application in 1975, the scope of work has been increased beyond that covered under this original application, and the project was divided into two phases by the funding agencies, and

WHEREAS, it is necessary at this time to submit revised applications for grant to the New York State Department of Environmental Conservation and the United States Environmental Protection Agency to reflect the increased scope of work in the Water Pollution Control Plant No. 5 Service Area, and the separation of the project into two phases, and

WHEREAS, the consulting engineering firm of Nussbaumer & Clarke, Inc. has prepared two revised applications dated May 1979, for submittal to the respective regulatory agencies with one application covering Phase I work, which work includes the Northeast Interceptor and Sanitary Sewer District No. 8 Collectors, and the other covering Phase II work, which includes the Buffalo Sewer Authority Connection and the Main Pumping Station, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, acting as Board of Managers for Sanitary Sewer District No. 5 and its Service Area, be and hereby directs the Supervisor to sign said applications on behalf of this Board of Managers of Sanitary Sewer District No. 5 and Service Area, and BE IT FURTHER

RESOLVED that six (6) certified copies of this resolution be prepared for submittal to the New York State Department of Environmental Conservation, Albany, New York together with the two revised grant applications.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Supervisor Meyers, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga, in its desire to provide sanitary sewer service to the northeast sector of the Town, applied for and received a Federal grant for the construction of collector sewers for said northeast area, identified as Sanitary Sewer District No. 8, and

WHEREAS, the Town has entered into an agreement with the consulting engineering firm of Nussbaumer & Clarke, Inc. dated March 7, 1977, to provide services to the design and construction of collector sewers and appurtenances for Sanitary Sewer District No. 8, which will be partially funded under a joint State/Federal Construction Grant, No. C-36-323, and

WHEREAS, the Agreement provides for re-negotiation of the engineering fees for services during construction if construction contracts are not awarded by January, 1978, and

WHEREAS, at the present time it is anticipated that construction contracts will be awarded in August, 1979, and

WHEREAS, the U.S. Environmental Protection Agency in their letter of December 5, 1978 to Nussbaumer & Clarke, Inc. upon completion of their audit

Item No. 14 cont'd

has determined that the rates proposed by Nussbaumer & Clarke, Inc. were found reasonable and acceptable, and

WHEREAS, Nussbaumer and Clarke, Inc. request updating of the Agreement to reflect the increased rates associated with the Sanitary Sewer District No. 8 Project, NOW, THEREFORE, BE IT

RESOLVED that the addendum to the Engineering Agreement as prepared by Nussbaumer & Clarke, Inc. and date June 4, 1979 be and hereby is accepted, and BE IT FURTHER

RESOLVED that the Supervisor is directed to sign said Agreement on behalf of this Town Board acting as the Board of Managers for said Sanitary Sewer District No. 8 and BE IT FURTHER

RESOLVED that three (3) certified copies of this resolution be prepared for submittal to the New York State Department of Environmental Conservation, Albany, New York, together with the Federal application.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town of Cheekotwaga has entered into an Agreement with the Consulting Engineering Firm of Nussbaumer & Clarke, Inc., dated March 24, 1975, to provide services related to the design and construction of wastewater collection and treatment facilities for Sanitary Sewer District #5, and

WHEREAS, the Agreement states that under Section VIII, Payments I, Extra Work

No extra work beyond the scope of this Agreement shall be performed by the Engineers unless the Town shall, in writing, specifically direct such work to be performed, and an authorization for such work shall have been duly given by resolution of the Town. Compensation to the Engineer shall be on a per diem basis. The per diem basis shall be salary cost times a multiplier of 2.5, and

WHEREAS, salary cost is defined as actual salary plus 30% (to cover vacation, holidays, sick leave, pension, payroll tax, social security, etc.), and

WHEREAS, the Town has secured a joint State DEC/Federal EPA construction grant, No. C-36-323, to assist the Town in funding the wastewater collection and treatment facilities, and

WHEREAS, as stated in Part III-b of the Grant offer - Special Conditions - 5. Withholding Payments

c. Payments under this grant may be subject to the prohibitions against payment of more than 50% and 80% under 40 CFR 35.935-13 (a) for failure to comply with the requirements as to industrial cost recovery and user charge systems in 40 CFR 35.935-13, and

WHEREAS, the consulting firm of Nussbaumer & Clarke, Inc., is prepared to assist the Town in complying with the aforementioned requirements, NOW, THEREFORE, BE IT

RESOLVED that Nussbaumer & Clarke, Inc., be and is hereby authorized to assist the Town in this regard, and BE IT FURTHER

RESOLVED that compensation to the Engineer for such assistance shall be on a per diem basis as provided for in the existing Agreement and heretofore outlined.

6/18/79

Item No. 15 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the \$4,000,000 second layer Umbrella Liability coverage accepted with National Union Fire Insurance Company effective March 29, 1979, contains undesirable exclusions that could expose the Town of Cheektowaga to serious uninsured loss, and

WHEREAS, Clauss and Company has arranged for substitute coverage without such exclusions with the Gibraltar Casualty Company, a subsidiary of Prudential Insurance Company of America, at no increase in cost, NOW, THEREFORE, BE IT

RESOLVED that Clauss and Company be authorized to make such substitution, and BE IT FURTHER

RESOLVED that the Town has considered purchase of an additional \$5,000,000 of Umbrella Liability coverage at a cost of \$17,500 annually and has decided not to buy the extra insurance at this time.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, various fire districts in the Town of Cheektowaga have requested that the Town provide gasoline to fire emergency vehicles owned by said fire districts, from the Town pumps located at the Town garage, and

WHEREAS, such requests are made due to the present gasoline supply shortage, and

WHEREAS, the providing of the gasoline by the Town would be allowed in emergency situations only where the requesting fire district is unable to obtain gasoline from any other source, and

WHEREAS, the Town is a municipal corporation and the fire companies are bonafide fire districts within the Town, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby agrees to provide gasoline to Town fire emergency vehicles only when a fire district is unable to obtain gasoline from any other source, and BE IT FURTHER

RESOLVED that this resolution is conditioned upon similar resolutions being adopted by each fire district which requests such emergency gasoline supplies, and BE IT FURTHER

RESOLVED that the individual fire districts shall be charged the cost of the gasoline to the Town by proper vouchers being submitted therefor, and BE IT FURTHER

RESOLVED that this resolution shall remain effective until December 31, 1979, at which time such arrangement shall be automatically terminated, and BE IT FURTHER

RESOLVED that the requesting fire companies may obtain such emergency gasoline supplies from the Town's Central Garage which is open 24 hours a day, Monday-Friday. On weekends, one of the following should be contacted in an emergency situation:

Item No. 17 cont'd

Police Station	-	683-6100
George Burst	-	684-1133
Richard Koszuta	-	896-0394

and BE IT FURTHER

RESOLVED that the Town of Cheektowaga and each consenting fire district enter into a contract implementing the terms and provisions of this resolution; and the Supervisor be and is hereby authorized to sign such contracts on behalf of the Town.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 18 Acceptance of portions of Town Highways in Martinique Heights Sub. This item was withdrawn.

Item No. 19 Motion by Councilman Kaczmarek, seconded by Supervisor Meyers

WHEREAS, the owners of Martinique Heights Subdivision (Castine, Kidawski, Leising & Sharp, Inc.) have requested the Town to approve the acceptance as a public thoroughfare of those portions of Barbados Drive and LeHarve Drive shown on the Deed dated May 15, 1979 which has been delivered to the Town of Cheektowaga, a copy of which Deed is attached hereto and made a part hereof, and

WHEREAS, the aforesaid portions of Barbados Drive and LeHarve Drive are to be approved and accepted on certain conditions which have been complied with, namely, the agreement on the part of the subdivision owner to improve and complete certain channel improvements to Slate Bottom Creek and the delivery to the Town Clerk of a Certificate of Deposit in the amount of \$21,000.00 as security for the completion of the channel, and

WHEREAS, the developer and the Town have mutually agreed that the developer (Castine) shall grant perpetual easements and rights-of-way over and under those lands situate in the Town of Cheektowaga commonly known as Martinique Heights, as shown on a map filed in the Erie County Clerk's Office under Map Cover No. 2376, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby confirms said arrangements and agreements, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign the Easement Agreement dated May 15, 1979 on behalf of the Town, a copy of which is attached hereto and made a part hereof.

* See next six (6) pages for easement and agreement

This Indenture,

Made the 15th day of May in the year One Thousand

Nine Hundred and Seventy-Nine

Between CASTINE, KIDAWSKI, LEISING & SHARP, INC.

a corporation organized under the Laws of the State of New York, and having its place of business in

at 600 Cayuga Road in the Town of Cheektowaga, County

of Erie

, and State of New York, party of the first part, and TOWN of CHEEKTOWAGA, a municipal corporation organized under the laws of the State of New York, and having its principal office and place of business at Broadway & Union Rd., Cheektowaga, N. Y. of the second part,

Witnesseth, That the said party of the first part, in consideration of the sum of

One and no more Dollars

(\$1 & no more), lawful money of the United States, paid by the said party of the second

part, doth hereby grant and release unto the said party of the second part, its successors

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. 96, Township 10, Range 7 of the Buffalo Creek Reservation, and

according to a map filed in the Erie County Clerk's Office under

Cover No. 2376 and designated MARTINIQUE HEIGHTS is known and dis-

tinguished as that part of Martinique Drive extending northerly from

the northerly line of Subdivision Lot No. 110 to its intersection

with the southerly line of Le Harve Drive; and that part of Le Harve

Drive extending easterly from the easterly line of Subdivision Lot

No. 3 to the easterly line of Subdivision Lot No. 1.

It is the intention of the party of the first part to dedicate the aforesaid public thoroughfares to the TOWN of CHEEKTOWAGA for highway purposes.

Together with the appurtenances; and all the estate and rights of the said party of the first part in and to said premises.

To have and to hold the above granted premises unto the said part Y of the second part, its successors and assigns forever.

And the said party of the first part doth covenant with the said part Y of the second part as follows:

That the part y of the second part shall quietly enjoy the said premises.

That the grantor, in compliance with Section 13 of the Lien Law, will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

That the said party of the first part will forever warrant the title to said premises.

In Presence of

In Witness Whereof, The party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 15th day of May

Nineteen Hundred and Seventy-Nine

By Norman J. Castine
President

State of New York
County of ERIE

} ss.

On this 15th day of May
Nineteen Hundred and Seventy-Nine

before me personally came

Norman J. Castine

to me personally known, who, being by me duly sworn, did depose and say that he resides in No. 600 Cayuga Rd., Cheektowaga, N. Y. 14225 that he is the President of CASTINE, KIDAWSKI, LEISING & SHARP, INC. 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; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

ROBERT SCHAUS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 14, 1980

Robert Schaus



Corporate Seal—with this document

CASTINE, KIDAWSKI, LEISING
& SHARP, INC.

TO

TOWN OF CHEEKTOWAGA

Dated May 15th, 19 79.

EASEMENT

THIS AGREEMENT, made this 15th day of May, Nineteen
Hundred and Seventy-Nine, by and between

CASTINE, KIDAWSKI, LEISING & SHARP, INC.
a domestic corporation having its principal
office and place of business at
600 Cayuga Road
Cheektowaga, New York 14225

hereinafter called "CASTINE",

and the

TOWN OF CHEEKTOWAGA
a municipal corporation having its principal
office and place of business at
Broadway and Union Road
Cheektowaga, New York 14227

hereinafter called "TOWN".

WHEREAS, CASTINE is the developer of a certain resi-
dential subdivision located in the Town of Cheektowaga
commonly known as MARTINIQUE HEIGHTS, as more fully shown
on a Map filed in the Erie County Clerk's Office under
Cover No. 2376, and

WHEREAS, CASTINE has designated on said Subdivision
Map specified portions thereof entitled "Drainage Easement"
and "Storm Sewer Easements", said specified areas being
intended by CASTINE to be set aside and used for drainage
and storm sewer purposes for the benefit of the owners of
said lots in said Subdivision, and

WHEREAS, CASTINE is desirous of granting to the TOWN
a perpetual easement to the aforesaid designated areas
entitled "Drainage Easement" and "Storm Sewer Easements"
and

WHEREAS, the TOWN is desirous of acquiring said ease-
ment,

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to the other in hand paid, receipt of which is hereby acknowledged, the parties hereto mutually covenant and agree as follows:

1. CASTINE hereby grants to the TOWN a perpetual easement and right-of-way over and under those lands situate in the Town of Cheektowaga commonly known as MARTINIQUE HEIGHTS, as shown on a map filed in the Erie County Clerk's Office under Map Cover No. 2376, which areas are designated on said Map as "Drainage Easement" and "Storm Sewer Easements", as follows:

"Drainage Easement":

A five foot (5') easement along the rear lot lines of Sublots Forty-Four (44) to Sixty-Eight (68), inclusive;

A five foot (5') easement along the rear lot lines of Sublots Ninety-Six (96) to Seventy-Two (72), inclusive;

A five foot (5') easement along the northerly side lot line of Sublot Fifty (50);

A five foot (5') easement along the southerly side lot line of Sublot Fifty-One (51);

A five foot (5') easement along the northerly side lot line of Sublot Sixty-Six (66);

A five foot (5') easement along the southerly side lot line of Sublot Sixty-Seven (67);

A five foot (5') easement along the easterly line of Sublot Forty (40) and the rear lot lines of Sublots (97) to One Hundred Twenty (120) inclusive, and the easterly lot line of Sublot One Hundred Twenty-One (121);

A five foot (5') easement along the northerly side lot line of Sublot One Hundred Two (102);

A five foot (5') easement along the southerly side lot line of Sublot One Hundred Three (103);

A five foot (5') easement along the northerly side lot line of Sublot One Hundred Eighteen (118);

A five foot (5') easement along the southerly side lot line of Sublot One Hundred Nineteen (119);

A five foot (5') easement along the rear lot lines of Sublots One (1) to Five (5), inclusive, and along the easterly lot line of Sublot One (1);

A five foot (5') easement along the rear lot lines of Sublots Seven (7) to Thirty (30), inclusive;

A five foot (5') easement along the westerly lot lines of Sublots Six (6) and Thirty-One (31);

A five foot (5') easement along the northerly side lot line of Sublot Twenty-Three (23);

A five foot (5') easement along the southerly side lot line of Sublot Twenty-Two (22);

"Storm Sewer Easements":

A twelve and one-half foot (12½') easement along the easterly side lot line of Sublot Thirty-Two (32);

A twelve and one-half foot (12½') easement along the westerly side lot line of Sublot Thirty-Three (33);

A twelve and one-half foot easement (12½') along the easterly side lot line of Sublot Thirty-Seven (37);

A twelve and one-half foot easement (12½') along the westerly side lot line of Sublot Thirty-Eight (38),

to have and to hold by said TOWN for drainage and storm sewer purposes, with the right to lay and install swales, tiles, pipes, catch basins, receivers, etc., and to maintain, repair, and replace the same from time to time as the TOWN shall determine in its sole discretion, but by accepting this Easement, the TOWN assumes no responsibility for any future maintenance thereof;

2. This Easement shall run with the land, and shall be for the benefit of the owners of the property within the aforesaid MARTINIQUE HEIGHTS subdivision, and the TOWN covenants that it will do nothing that will deprive said owners of the benefits derived from said Easement.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

CASTINE, KIDAWSKI, LEISING & SHARP, INC.

By Norman J. Castine
Norman J. Castine, President

TOWN OF CHEEKTOWAGA

By Kenneth J. Meyer

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 15th day of May, 1979 before me personally came NORMAN J. CASTINE, to me personally known, who, being by me duly sworn, did depose and say that he resides at No. _____, Cheektowaga, New York 14225, that he is the President of CASTINE, KIDAWSKI, LEISING & SHARP, INC., the Corporation described in, and which executed the within Easement; that he knows the seal of said Corporation; that the seal affixed to said Instrument is such Corporate Seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name thereto by like order.

ROBERT SCHAUS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Robert Schaus

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On this 18th day of ^{JUNE} ~~May~~, 1979 before me personally came KENNETH J. MEYERS, to me personally known, who, being by me duly sworn, did depose and say that he resides at _____, CHEEKTOWAGA, N.Y. that he is the SUPERVISOR of the Town of Cheektowaga, the Corporation described in, and which executed the within Easement; that he knows the seal of said Corporation; that the seal affixed to said Instrument is such Corporate Seal; that it was so affixed by order of the Town Board of said Corporation; and that he signed his name thereto by like order.

Jean A. Rosenberg

JEAN A. ROSENBERG
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

Item No. 19 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, the Town Engineer has informed this Board that plans and specifications for Scajaquada Creek Structure Replacement are complete and ready for bidding, and

WHEREAS, the Town Board, at its regular Town Board Meeting on May 21, 1979 adopted a resolution relative to the receiving of bids for the construction of Scajaquada Creek Structure Replacement, and said resolution authorized a Notice to Bidders for said bids to be opened on June 18, 1979, a copy of said resolution and Notice to Bidders being attached hereto and made a part hereof, and

WHEREAS, since the adoption of said resolution of May 21, 1979, now brought to the Town's attention that various changes and amendments to the original specifications and contract documents should be implemented thereto, therefore, requiring another resolution and a new Notice to Bidders, NOW, THEREFORE, BE IT

RESOLVED that the said resolution of May 21, 1979 and said Notice to Bidders, attached hereto and made a part hereof, be and hereby are rescinded, and BE IT FURTHER

RESOLVED that any and all sealed bids submitted to the Town for the original proposed opening of bids originally scheduled for June 18, 1979 be returned unopened to said bidders, and BE IT FURTHER

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said Scajaquada Creek Structure Replacement, Notice to be published in the BUFFALO EVENING NEWS, THE EXAMINER and CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Clerk is directed to obtain certified copies of said publication of notice from all these newspapers, and BE IT FURTHER

RESOLVED that the Town Board meet on the 2nd day of July, 1979 at 7:00 P.M., Local Time, for the purpose of receiving sealed bids at which time they will be publicly opened by the Town Board at a public meeting held for that purpose.

N O T I C E T O B I D D E R S

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M. Local Time on Monday, the 2nd day of July 1979, at which time and place they will be publicly opened and read aloud for the following work:

SCAJAQUADA CREEK STRUCTURE REPLACEMENT
TOWN OF CHEEKTOWAGA

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc.,

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

Gladys M. Sechite, of the town
of Cheektowaga, in said County of Erie, being
legally sworn, deposes and says that he (she) is
Clerk of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for1..... weeks;
first publication.....*June 21, 1979*.....;
last publication.....*June 21, 1979*.....;
and that no more than six days intervened be-
tween publications.

Gladys M. Sechite

Sworn to before me this *22nd*

day of *June*, 19*79*.

Naidine C. Williams

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19*81*

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

Gladys M. Seckete, of the town
of Cheektowaga, in said County of Erie, being
duly sworn, deposes and says that he (she) is
..... *Clerk* of the Cheek-
towaga Times, a public newspaper published
weekly in said town; that the notice, of which
the annexed printed slip, taken from said news-
paper is a copy, was inserted and published in
said paper once a week for *1* weeks;
first publication *June 21, 1979* ;
last publication *June 21, 1979* ;
and that no more than six days intervened be-
tween publications.

Gladys M. Seckete

Sworn to before me this *22nd*

day of *June*, 19 *79*

..... *Naidine C. Williams*

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

NAIDINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 *81*

Legal Notice

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P. M. Local Time on Monday, the 2nd day of July 1979, at which time and place they will be publicly opened and read aloud for the following work:

**SCAJAQUADA CREEK
STRUCTURE REPLACEMENT
TOWN OF CHEEKTOWAGA**

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.

The work to be accomplished under this proposal shall be completed within 350 calendar days.

Copies of the Contract Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders will be refunded one-half

the amount of their deposit (\$25.00) for one complete set of documents only. Materials suppliers and any one returning the Documents prior to the bid opening shall be classed as non-bidders insofar as refund of deposits is concerned.

All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be enclosed in a separate sealed envelope addressed to the Town Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAQUADA CREEK STRUCTURE REPLACEMENT - TOWN OF CHEEKTOWAGA".

No proposal will be considered unless it is accompanied by a bid guaranty which shall not be less than five percent (5 percent) of the amount bid for the total work contemplated to be done. At the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570. The certified check shall be made payable to "Town of Cheektowaga". The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.

Bidders on this work shall be required to comply with the President's Executive Orders No. 10925, 11114, 11246 and 11375 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheektowaga, are hereby reserved.

No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

RICHARD M. MOLESKI
Town Clerk

Town of Cheektowaga, New York
DATED: June 18, 1979

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, depose and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 21 day of June 1979 and ending on the _____ day of _____, 1981

Signed James L. Charters
Sworn to before me, on the 21
day of June, 1979

Patricia H. Young
PATRICIA H. YOUNG, Notary Public
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

NOTICE TO BIDDERS

Bid proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M. Local Time on Monday, the 2nd day of July 1979, at which time and place they will be publicly opened and read aloud for the following work:

SCAJAQUADA CREEK STRUCTURE REPLACEMENT TOWN OF CHEEKTOWAGA

The work to be accomplished under this proposal is the furnishing of all tools, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc., for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.

The work to be accomplished under this proposal shall be completed within 350 calendar days.

Copies of the Contract, Plans and Documents may be examined at no expense at the office of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract, Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract, Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders will be refunded one-half the amount of their deposit (\$12.50) for one complete set of documents only. Materials suppliers and any one returning the Documents prior to the bid opening shall be classed as non-bidders insofar as refund of deposits is concerned.

All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be enclosed in a separate sealed envelope addressed to the Town Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAUADA CREEK STRUCTURE REPLACEMENT - TOWN OF CHEEKTOWAGA".

No proposal will be considered unless it is accompanied by a bid guaranty which shall be not less than five percent (5%) of the amount bid for the total work contemplated to be done. At the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570. The certified check shall be made payable to the "Town of Cheektowaga". The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.

Bidders on this work shall be required to comply with the President's Executive Orders No. 10825, 11114, 11246 and 11375 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheektowaga, are hereby reserved.

No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.

Richard M. Moleski
Town Clerk
Town of Cheektowaga, New York
DATED: June 18, 1979

State of New York }
ERIE COUNTY }
CITY OF BUFFALO }

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,
deposes and says that he is Principal Clerk
of the BUFFALO EVENING NEWS, INC.,
Publisher of the BUFFALO EVENING NEWS, a
newspaper published in said city, that the notice of
which the annexed printed slip taken from said
newspaper is a copy, was inserted and published
therein ONCE ~~XXXXXXXXXXXXXXXX~~
times, the first insertion being on the 21st
day of June 1979 ~~XXXXXXXXXX~~
inserted being ~~XXXXXXXXXXXXXXXXXXXX~~

D. Eileen Perry

Sworn to before me this 22nd day
of June 1979

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

State of New York
ERIE COUNTY
CITY OF BUFFALO

D. Eileen Denny

NOTICE TO BIDDERS
 Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:30 P.M. Local Time on Monday, the 2nd day of July 1979, at which time and place they will be publicly opened and read aloud for the following work:
SCAJAQUADA CREEK STRUCTURE REPLACEMENT TOWN OF CHEEKTOWAGA
 The work to be accomplished under this proposal is the furnishing of all steel, equipment, materials and labor for the construction of highway and pedestrian bridges and box culverts as part of a Flood Control Project. Also

included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc. for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.
 The work to be accomplished under this proposal shall be completed within

250 calendar days.
 Copies of the Contract, Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract, Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga."
 Any bidder returning such Contract, Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders will be refunded one-half the amount of their deposit (\$12.50) for one complete

set of documents only. Materials suppliers and any one returning the Documents prior to the bid opening shall be classed as non-bidders insofar as refund of deposits is concerned.
 All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be enclosed in a separate sealed envelope addressed to the Town Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAQUADA CREEK STRUCTURE REPLACEMENT—TOWN OF CHEEKTOWAGA."
 No proposal will be considered unless it is accompanied by a bid guaranty which shall be not less than five percent (5%) of the amount bid for the total work contemplated to be done. At

the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570.
 The certified check shall be made payable to the "Town of Cheektowaga." The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.
 Bidders on this work shall be required to comply with the President's

Exec and in ce The to v made bidd of th by re No with actu draw sche bids. De

newspaper is a copy, was inserted and published therein ONCE ~~XXXXXXXXXXXXXXXX~~ a week for 21st days, the first insertion being on the 21st day of June 1979 ~~XXXXXX~~ insertions being ~~XXXXXXXXXXXXXXXX~~

D. Eileen Denny

Sworn to before me this 22nd day of June 1979

Laura K. Hill
 Notary Public, Erie County, N. Y.

51

New York
NTY
TALLO

D. Eileen Perry

included in the work is relocation of sanitary and storm sewer facilities, relocation of water lines, reconstruction of highway approaches to replacement structures; channel improvements in the immediate vicinity of replaced structures; and the removal of existing structures as required. The work to be accomplished under this proposal shall be in accordance with the plans and specifications, instructions to bidders, etc. as prepared by McFarland-Johnson Engineers, Inc., for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at the Town Hall.
The work to be accomplished under this proposal shall be completed within

250 calendar days.
Copies of the Contract, Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract, Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga."
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set of documents only. Materials suppliers and any one returning the Documents prior to the bid opening shall be classed as non-bidders insofar as refund of deposits is concerned.
All bids must be submitted on the forms furnished as a part of the Contract Documents and shall be enclosed in a separate sealed envelope addressed to the Town Clerk, Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and shall be marked "PROPOSAL FOR SCAJAQUADA CREEK STRUCTURE REPLACEMENT—TOWN OF CHEEKTOWAGA."
No proposal will be considered unless it is accompanied by a bid guaranty which shall be not less than five percent (5%) of the amount bid for the total work contemplated to be done. At

the option of the Bidder, the guaranty may be a certified check or bid bond in the form attached with the Contract Documents. This Bid Bond shall be secured by a guaranty or surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid Bond shall be written within the maximum amount specified for such company in said Circular 570.
The certified check shall be made payable to the "Town of Cheektowaga." The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.
Bidders on this work shall be required to comply with the President's

Executive Orders No. 10825, 1114, 11246 and 11375 relative to nondiscrimination in employment.
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 in the best interest of the Town of Cheektowaga, are hereby reserved.
No Bidder may withdraw his bid within forty-five (45) days after the actual opening thereof but may withdraw his bid at any time prior to the scheduled time for the opening of the bids.
Dated: June 18, 1979
RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York

newspaper is a copy, was inserted and published therein once ~~XXXXXXXXXXXXXXXX~~ a week for 21st weeks, the first insertion being on the 21st day of June 1979 ~~XXXXXXXX~~ insertions being ~~XXXXXXXXXXXXXXXX~~
D. Eileen Perry

22nd day
1979
[Signature]
Notary Public, Erie County, N. Y.

Item No. 20 cont'd

for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at teh Town Hall.

The work to be accomplished under this proposal shall be completed within 350 calendar days.

Copies of the Contract, Plans and Documents may be examined at no expense at the offices of the Town Engineer and the Town Clerk during regular business hours. Copies of the Contract, Plans and Documents may be secured at the office of the Town Clerk upon payment of \$25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

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The certified check shall be made payable to the "Town of Cheektowaga". The bid guaranty shall be conditioned that, if proposal is accepted, the Bidder will enter into a contract for the same and that he will execute such further security as may be required by the Contract Documents.

Bidders on this work shall be required to comply with the President's Executive Orders No. 10925, 11114, 11246 and 11375 relative to nondiscrimination in employment.

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 in the best interest of the Town of Cheekotwaga, are hereby reserved.

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

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

DATED: June 18, 1979

* * * * *

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGE

Item No. 21 Motion by Councilman Kaczmarek, seconded by Councilman Dux

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of snow plow blades, wing blades, cutting edges, wing and front plow shoes, grader blades, receiver grates, receiver frames, curboxes, extension rings and frames and covers for manholes for use in the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways, 3145 Union Road, Cheektowaga, New York; said Notice to be published in the EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board will meet at 1:00 P.M. on July 23rd, 1979 for the purpose of properly opening and reading the sealed bids.

* * * * *

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Law, that separate proposals will be received and opened and read by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, S. Cheektowaga, New York 14227 at 1:00 P.M. on July 23rd, 1979, for Snow Plow Blades, Wing Blades, cutting Edges, Wing and Front Plow Shoes, Grader Blades, Receiver Grates, Receiver Frames, Curboxes, Extension Rings and Frames and Covers for Manholes.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Information for bidders and specifications may be obtained from ALFRED F. WNEK, Superintendent of Highways, at his office located at 3145 Union Road, S. Cheektowaga, New York 14227. Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also plainly marked "SEALED BID FOR SNOW PLOW BLADES, WING BLADES, ETC. FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT". Non-collusion forms must be signed and submitted with bids.

RICHARD M. MOLESKI
Town Clerk

DATED: June 11, 1979
PUBLISHED: July 5, 1979

* * * * *

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVITS - NEXT PAGE

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ERIE
TOWN OF
CHEEKTOWAGA

JAMES L. CHARTERS

being duly sworn, deposes and saith that he is the General Manager of the Examiner, a newspaper published once a week in the Town of Cheektowaga, County of Erie, State of New York, and that the notice, a printed copy of which is annexed, has been published in the Examiner, one in each week, commencing on the 5 day of July, 1929 and ending on the _____ day of _____, 19
er

Signed James Charters
Sworn to before me, on the 5
day of July, 1929.

Patricia H. Youngs
Notary Public

PATRICIA H. YOUNGS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1931

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Law, that separate proposals will be received and opened and read by the Town Board of the Town of Cheektowaga at a meeting thereof to be held at the Town Hall, corner of Broadway and Union Road, S. Cheektowaga, New York 14227 at 1:00 P.M. on July 23rd, 1979, for Snow Plow Blades, Wing Blades, Cutting Edges, Wing and Front Plow Shoes, Grader Blades, Receiver Grates, Receiver Frames, Curbbboxes, Extension Rings and Frames and Covers for Manholes.

In order to be considered, all bids must be filed with the undersigned Town Clerk prior to the time of the opening thereof. Information for bidders and specifications may be obtained from ALFRED F. WANEK, Superintendent of Highways, at his office located at 3145 Union Road, S. Cheektowaga, New York 14227. Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder, also plainly marked "SEALED BID FOR SNOW PLOW BLADES, WING BLADES, ETC. FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT". Non-collusion forms must be signed and submitted with bids.
SIGNED Richard M. Moleski
Town Clerk
DATED: June 11, 1979

Item No. 22 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, emergency sanitary sewer repairs were required at 129 Danbury Drive in Sanitary Sewer District #5, at 13 Atwood Place in Sanitary Sewer District #5, at 46 Campbell Boulevard in Sanitary Sewer District #5, at 19 Beale Avenue in Sanitary Sewer District #5 and at 235 Crandon Boulevard in Sanitary Sewer District #7, which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the voucher of Pagels Construction Company, Inc., 33 Homewood Road, Cheektowaga, New York 14227 in the amount of \$3256.51 (Danbury Drive \$882.98, Atwood Place \$551.26, Campbell Blvd. \$575.79, Beale Avenue \$670.79, Crandon Blvd. \$575.79) to do the work for sanitary sewer repairs be approved and ordered paid.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 23 Motion by Councilman Kaczmarek, seconded by Councilman Dux

RESOLVED that the following individuals are hereby hired as seasonal employees in the following Departments at the rates listed:

Recreation Department - Basket Checkers - \$2.20/hour

William Benner
Nancy Simmeth
Lisa Gemerac
Daneen Gorney
Robert Grzechowiak
Paget Napora
Maureen Gemerac
Larry Wiatrowski
Peter Bifaro
David Allen
David Lewandowski
Kevin Karek

Recreation Attendant - \$2.90/hour

Sharon Foster
Kathleen Karaszewski
Rachel Olszewski
Sandra Zygmunt
Linda Benner
James Burke
Andrew Slachciak
David Safe

Tennis Instructor - \$1200.00 for 10 weeks

Greg Shalke

Life Guard - \$2.75/hour without WSI, \$3.00/hour with WSI

Edith Bird

Transfer from Recreation Attendant to Arts & Crafts Instructor - \$1500.00 for 10 weeks

Nancy Truty

Transfer from Basket Checker to Park Attendant (I.D. Registration) - \$2.90/hour

Barbara Wojcik

Item No. 23 cont'd

Youth Board - Summer Day Camp for Developmentally Disabled Youth:

Activity Directors - \$3.50/hour

Stephanie Michalski
Sharon Daly

Counselors - \$2.90/hour

Sue Ann Bronstein
Roberta Cianciosi
Paul Czosek
Joyce Goodell
Dawn Hicks
Patricia Hyzy
Mary Kay Kaczmarek
Monica Lullia

YCC - Educational Coordinator - \$5.00/hour

Roger Newhouse

Facilities Department - Laborer - \$2.90/hour

Kevin Rau
Kenneth Rusin
Samuel Ruggiero
Frank Simmeth
David Okulewicz
Dennis Schiavone

Sewage Treatment Plant - Laborer - \$2.90/hour

James Yamarino

Laborers - To Assist in All Departments as Needed - \$2.90 per hour

Peter Szrama
Robert Green

Clerks (PT) - Assist in All Departments as Needed - \$2.90/hour

Laurie Arricale
Mary Jane Kozminski

Sanitation Department - \$2.90/hour

Kathy Moleski
Clerk Typist

Gregory Miller
Laborer

Mark Kensy
Laborer

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, continuous complaints ahve been received by the Town Board about an unsafe building located at _____, Cheektowaga, New York and according to the Assessor's Office records is owned by Thomas Hyland, with offices located at 369 Ellicott Street, Buffalo, New York 14203, and

Item No. 24 cont'd

WHEREAS, action must be taken to rectify the situation, NOW, THEREFORE
BE IT

RESOLVED that Ronald Marten, Building and Plumbing Inspector and Donald W. Love, an atchitect with offices located at 22 South Long Street, Williamsville, New York be hereby are appointed to inspect, survey and report upon said unsafe building, and BE IT FURTHER

RESOLVED that said architect shall be paid a fee not to exceed \$100.00.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Lieutenant Bruce Chamberlin has been accepted as a candidate to attend the 119th session of the F.B.I. National Academy from September 30th - December 14, 1979, and

WHEREAS, there is no charge to the Town for Lieutenant Chamberlin's attendance at this session, and

WHEREAS, lodging and meals will be provided during the session by the Academy, and

WHEREAS, Theodore DeFedericis, Chief of Police, has recommended that Lieutenant Chamberlin attend the F.B.I. National Academy, NOW, THEREFORE, BE IT

RESOLVED that Lieutenant Bruce Chamberlin be and hereby is authorized to attend the F.B.I. National Academy from September 30th - December 14th, 1979, and BE IT FURTHER

RESOLVED that all Lieutenant Chamberlin's legal and necessary expenses be reimbursed as follows:

Air Fare (3 round trip fares) - not to exceed \$250,
Miscellaneous Expenses (books, study supplies, etc.
- not to exceed \$300.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, David J. Przepiora, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence for July 7, 1979 to July 21, 1979, and his Order to report for military duty has been forwarded to the Town Clerk, and

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

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

RESOLVED that David J. Przepiora, a Police Officer in the Cheektowaga Police Department, be and hereby is granted a military leave of absence for July 7, 1979 to July 21, 1979, and BE IT FURTHER

Item No. 26 cont'd

RESOLVED that said David J. Przepiora be paid his salary or other compensation while on such military leave.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Harry L. Bollman, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence for June 16, 1979 to June 30, 1979, and his Order to report for military duty has been forwarded to the Town Clerk, and

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

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

RESOLVED, that Harry L. Bollman, a Police Officer in the Cheektowaga Police Department, be and hereby is granted a military leave of absence for June 16, 1979 to June 30, 1979, and BE IT FURTHER

RESOLVED that said Harry L. Bollman be paid his salary or other compensation while on such military leave.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, Arthur Blachowski, employee in the Sewer Maintenance Department, has been absent from work due to illness and during said absence he has used up his accumulated sick leave, vacation days, and personal leave, and

WHEREAS, said employee has requested an extension of his sick leave benefits pursuant to the limitations specified in the Collective Bargaining Agreement between the Town of Cheektowaga and the employees' representative, NOW, THEREFORE, BE IT

RESOLVED that said Arthur Blachowski be and hereby is granted extended sick leave with pay not to exceed fifteen (15) working days and subject to the provisions of the Collective Bargaining Agreement between the Town of Cheektowaga and the employees' representative; said extended sick leave shall be granted retroactive to June 11, 1979, through June 29, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, Joan Nedopak, Junior Career Trainee in the Cheektowaga Youth Bureau, has requested a leave of absence, without pay, from her position for maternity reasons, and

Item No. 29 cont'd

WHEREAS, she will have exhausted all of her accumulated sick leave, vacation days and personal leave on June 25, 1979, and

WHEREAS, according to the Collective Bargaining Agreement between the Town of Cheektowaga and the employees' representative, said leave of absence may be granted for the above stated reasons, NOW, THEREFORE, BE IT

RESOLVED that Joan Nedopak, be and hereby is granted a six month leave of absence, without pay, for maternity reasons, effective June 25, 1979.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 30 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of an "Auto Mechanic" position in the Central Garage, and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Auto Mechanic" in the General Garage be and hereby is created.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 31 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of two (2) "Engineering Aide" positions, in the Engineering Department, and

WHEREAS, the Erie County Department of Personnel has approved the creation of these two (2) positions, NOW, THEREFORE, BE IT

RESOLVED that two (2) "Engineering Aide" positions in the Engineering Department, be and hereby are created.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 32 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the Creation of a "Recreation Supervisor" position in the Recreation Department, and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Recreation Supervisor" in the Recreation Department, be and hereby is created.

Item No. 32 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, Thaddeus J. Piusiensi was appointed Acting Town Justice pursuant to an Order of the Appellate Division of the Supreme Court of the State of New York for the Fourth Judicial Department on or about July 19, 1977, and

WHEREAS, a Town Justice took office on January 1, 1978, and

WHEREAS, the Appellate Division Court Order recited that the Acting Town Justice shall retain his position until such time as he completes all legal matters pending before him and makes a complete accounting of all fines and penalties to the date of his final termination of activities, and

WHEREAS, it was necessary that Acting Town Justice, Thaddeus J. Piusiensi, had to continue his duties until February 21, 1978, and

WHEREAS, said Thaddeus J. Piusiensi has submitted a voucher for his services from December 28, 1977 to February 21, 1978 in the sum of \$2,625.92, NOW, THEREFORE, BE IT

RESOLVED that the Accounting Department and the Supervisor be and hereby are authorized to make payment in the sum of \$2,625.92 pursuant to the voucher submitted.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 34 Motion by Councilman Johnson, seconded by Supervisor Meyers

BE IT RESOLVED that New York State Electric & Gas Corporation is hereby authorized to remove 2-7000 lumen mercury lamps at an annual decrease of \$50.00 each, and install 1 - 25500 lumen high-pressure sodium lamp at an annual increase of \$101.65 in Kelly Drive Park, Town of Cheekotwaga, for a total annual increase to the General Lighting District of \$1.65, in accordance with the attached proposal which is hereby made a part of this resolution.

* See next page for Proposal

NEW YORK STATE ELECTRIC AND GAS CORPORATION

June 4, 1979

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Kelly Drive Park

Install 1 - 25500 lumen HPS lamp @ \$101.65 ea.-----\$101.65
(P-6, L-3298)

Remove 2 - 7000 lumen mercury lamps @ \$50.00 ea.-----\$100.00

TOTAL ANNUAL INCREASE--\$ 1.65

Item No. 34 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 35 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved:

SPECIAL DISTRICT FUND

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
S.8123.493-Remedial Prog. S.D. No. 3	\$1,000.00	S.8123.449-Garage Repairs S.D. No. 3
S.8125.493-Remedial Prog. S.D. No. 5	2,000.00	S.8125.449-Garage Repairs S.D. No. 5

GENERAL FUND

A.1410.400-Town Clerk's Office Supplies	\$1,000.00	A.1410.460-Town Clerk's Microfilming
--	------------	---

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 36 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA be and the same are hereby approved and made a part hereof.

<u>FUND</u>	<u>CHECK NO.</u>		<u>AMOUNT</u>
	<u>FROM</u>	<u>TO</u>	
GENERAL FUND	10779-10908		\$1,515,878.81
SPECIAL DISTRICT FUND	5991-6059		536,518.86
HIGHWAY FUND	4561-4592		315,336.17
PART TOWN FUND	1-6		27,190.62
TRUST AND AGENCY FUND	667		37,750.61
FEDERAL REVENUE SHARING FUND	137-144		400,695.24
CAPITAL FUND	208-217		747,537.15
H.U.D.-C.D.B.G. FUND	86, 100, 117, 160		-0-
			<u>\$3,580,907.46</u>
GENERAL FUND	10913		<u>\$ 275.50</u>

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 37 Health report for May, 1979
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 38 N.Y.S. Div. of Housing and Community Renewal - list of plan approvals granted for Factory Manufactured Homes
Copies were sent to: Town Board; Ron Marten, Building and Plumbing Inspector; John V. Rogowski, Town Attorney; Cheektowaga Planning Commission.
Received and Filed.

Item No. 39 N.Y.S. Dept. of Trans. - letter regarding Broadway Improvement Project.
Copies were sent to: Town Board; Chester Bryan, Town Engineer; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 40 E.C. Dept. of Public Works - Sign permit for William Street and Cayuga Creek Road.
Copies were sent to: Town Board; Captain Lis, Police Department; John V. Rogowski, Town Attorney; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 41 Letter from resident at 11 Fairelm Lane regarding drainage problem from 13 Fairelm.
Copies were sent to: Town Board; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector.
Received and Filed.

Item No. 42 Motion by Councilman Kaczmarek, seconded by Councilman Dux to adjourn the meeting in memory of Police Officer Stephen Guth.

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 25th day of June, 1979 at 1:00 P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman George Kaczmarek
Councilman James R. Burst
Councilman Donald J. Wegner

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; John V. Rogowski, Town Attorney; Theodore DeFedericis, Chief of Police; Chester Bryan, Town Engineer; Ken Kopacz, Executive Director of the Youth Bureau; Ron Marten, Building and Plumbing Inspector; John Tabaczynski, Sewer Maintenance Dept.; Alfred Wenk, Highway Superintendent; Fred Zalenski, Chief Sewage Treatment Plant Operator; Sal LaGreca, Assistant Manpower Program Director I; Robert Miller, Deputy Town Attorney; Ron Zoeller, Working Foreman in the Sanitation Department.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Building and Plumbing Inspector and Planning Board of the Town of Cheektowaga have recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended or repealed;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 16th day of July, 1979 at 7:00 o'clock P.M., at a meeting of the Town Board of the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA BEE, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than 10 days prior to the date of said Hearing.

NOTICE OF HEARING

ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 25th day of June, 1979, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 16th day of July, 1979 at 7:00 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 shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

Item No. 2 cont'd

1. (a) RESOLVED THAT ARTICLE 1 - GENERAL PROVISIONS, Section 1-50, which defines various signs, shall be amended by the enactment of a new subsection 1-55 thereunder to read as follows:

1-55 Portable Signs - shall include all movable signs, banners or similar advertisements of a temporary nature, not included as conforming accessory uses, and particularly signs mounted on trailer-like wheels or skids (See 90 day procedure - Section 6-033).

(b) RESOLVED THAT ARTICLE VI - SUPPLEMENTAL USE REGULATIONS, Section 6-03, which relates to Accessory "Business" Signs in C or M Districts, shall be amended by the enactment of a new subsection 6-033 thereunder to read as follows:

6-033 - Portable Signs - Portable (non-flashing) temporary sign(s), banner(s) or similar advertisement(s) for non-profit, charitable or religious events may be allowed upon receipt of a non-renewable permit issued by the Town Building Inspector's Office for a period not to exceed ninety (90) days. Such temporary use shall conform to all other regulations of this Ordinance, including setback from public street.

(c) RESOLVED THAT ARTICLE IX - BOARD OF APPEALS, Section 9-122(a), which relates to the issuance of Special Permits by such Board, shall be amended by the inclusion therein, after the words "Temporary structures or uses", the phrase (NOT INCLUDING SIGNS)-"

2. RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 4-11 A. 9.(c), which relates to the principal permitted uses in a General Manufacturing District, and which reads:

"(c) Automobile laundries or automatic car wash subject to Sections 6-01 and 6-05."

shall be deleted as a principal permitted use in M2-General Manufacturing District, and added as a new principal permitted use under Subdivision 11. in the CM-General Commercial District as follows:

"(h) Automobile laundries or automatic car wash subject to Section 6-01 and 6-05."

3. (a) RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS, subsection 6-05 A, which relates to Surfacing of automotive use areas, and which presently reads:

"A. Surfacing - Every automotive use area and access driveway thereto shall be surfaced with a durable and dustless material and shall be so graded and drained so as to dispose of surface water accumulation as approved by the Town Engineer."

shall be amended by deleting the words "a durable and dustless material", and by substituting therefore the words "Bituminous Macadam or Concrete."

(b) RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS, subsection 6-05 C, which relates to Screening of automotive use areas, and which presently reads:

"C. Screening - Every automotive use area, except off-street parking areas for less than five (5) vehicles, shall be screened from any adjoining lot in any R District, including lots situated across the street, as follows:

1.

Item No. 2 cont'd

2. Along a rear lot or an interior side lot which abuts an existing or future rear yard or side yard on such adjoining lots, by a compact evergreen hedge which will reach a height of 5 feet within three years, or by a solid fence or an unpierced masonry wall 5 feet in height."

shall be amended by deleting the words "by a compact evergreen hedge which will reach a height of 5 feet within three years or."

4. RESOLVED THAT ARTICLE XI - DEFINITIONS, Section 11-10 definition of "Family" shall be repealed; and that a new definition of "Family" be enacted to read as follows:

"Family. One or more persons related by birth, marriage or other domestic bond, occupying a dwelling unit and living as a single housekeeping unit; provided, however, that temporary gratuitous guests or roomers, not in excess of the number allowed as an accessory use by the Ordinance, may be permitted."

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

DATED: June 25, 1979

RICHARD M. MOLESKI
Town Clerk

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

PROOF OF PUBLICATION



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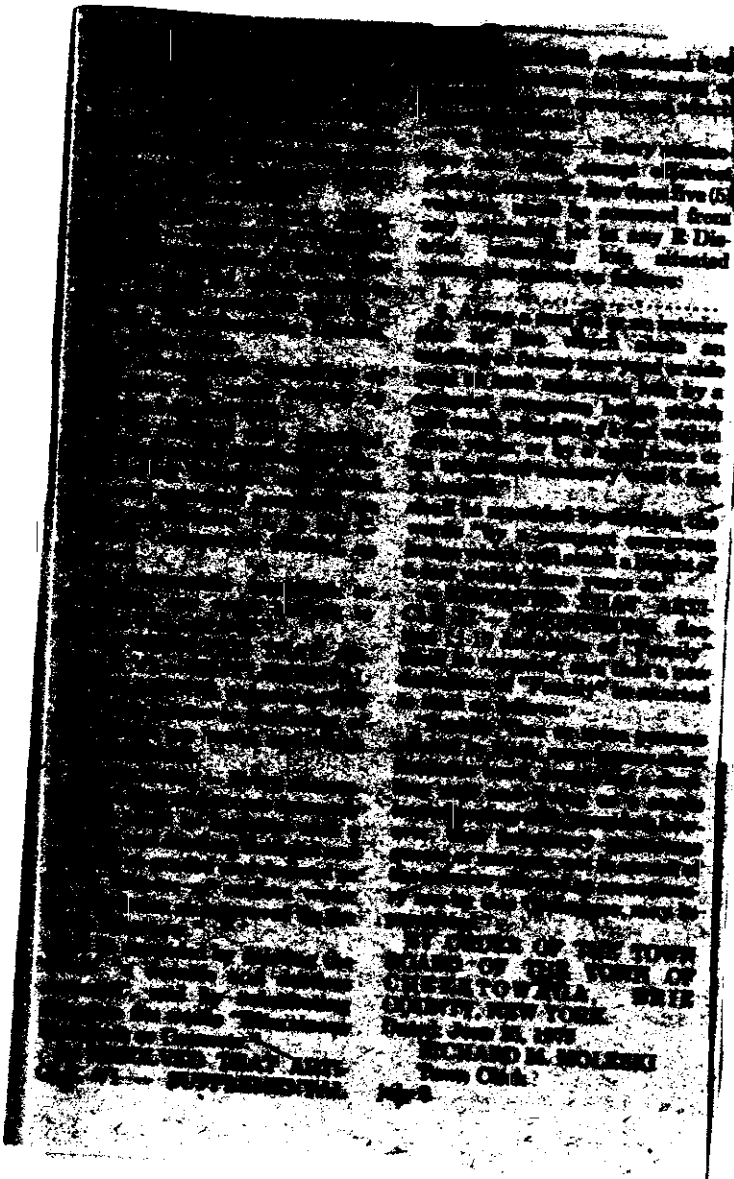
Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK
COUNTY OF ERIE

ss.



George J. Measer
being duly sworn, deposes and says that he is the
Publisher of the
Cheektowaga News, a
public newspaper published at
Williamsville, New York, that the
notice of which the annexed printed slip taken from
said newspaper, is a copy, was inserted and published
therein once a week for 1 weeks, the first
insertion being on the 5th day of July,
1979, and the last insertion being on the same
day of , 19.

Subscribed and sworn to before me this 5th day

of July, 1979

Eleanor Measer

Notary Public in and for Erie County

ELEANOR MEASER
Notary Public in and for Erie County
New York
Notary Commission Expires March 30, 1981

PROOF OF PUBLICATION

St
Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lanc
Depew Herald and Cheektowaga Bee

5564 MAIN STREET,
WILLIAMSVILLE, N.Y. 14221
PHONE: 632-4700

STATE OF NEW YORK }
COUNTY OF ERIE } ss.

George J.

being duly sworn,

Publisher

Cheektowa

public newspaper p

Williamsv

notice of which the

said newspaper, is a

therein once a week

insertion being on the

19 79, and the last

day of

Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. (a) RESOLVED THAT ARTICLE 1 - GENERAL PROVISIONS, Section 1-50, which defines various signs, shall be amended by the enactment of a new subsection 1-55 thereunder to read as follows:

1-55 Portable Signs - shall include all movable signs, banners or similar advertisements of a temporary nature, not included as conforming accessory uses, and particularly signs mounted on trailer-like wheels or skids. (See 90 day permit procedure - Section 6-033).

(b) RESOLVED THAT ARTICLE VI - SUPPLEMENTAL USE REGULATIONS, Section 6-03, which relates to Accessory "Business" Signs in C or M Districts, shall be amended by the enactment of a new subsection 6-033 thereunder to read as follows:

6-033 - Portable Signs - Portable (non-flashing) temporary sign(s), banner(s) or similar advertisement(s) for non-profit, charitable or religious events may be allowed upon receipt of a non-renewable permit issued by the Town Building Inspector's Office for a period not to exceed ninety (90) days. Such temporary use shall conform to all other regulations of this Ordinance, including setback from public street.

(c) RESOLVED THAT ARTI-

CLE IX - BOARD OF APPEALS, Section 9-129(a), which relates to the issuance of Special Permits by such Board, shall be amended by the inclusion therein, after the words "Temporary structures or uses", the phrase "(NOT INCLUDING SIGNS)."

2. RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 4-11 A. 9. (c), which relates to the principal permitted uses in a General Manufacturing District, and which reads:

"(c) Automobile laundries or automatic car wash subject to Sections 6-01 and 6-05."

shall be deleted as a principal permitted use in M2-General Manufacturing District, and added as a new principal permitted use under subdivision 11. in the C-General Commercial District, as follows:

"(h) Automobile laundries or automatic car wash subject to Section 6-01 and 6-05."

3. (a) RESOLVED THAT ARTICLE VI - SUPPLEMENTAL REGULATIONS, subsection 6-05 A, which relates to Surfacing of automotive use areas, and which presently reads:

"A. Surfacing - Every automotive use area and access driveway thereto shall be surfaced with a durable and dustless material and shall be so graded and drained so as to dispose of surface water accumulation as approved by the Town Engineer."

shall be amended by deleting the words "a durable and dustless material", and by substituting therefore the words "Bituminous Macadam or Concrete."

(b) RESOLVED THAT ARTICLE VI - SUPPLEMENTAL

REGULATIONS, subsection 6-05 C, which relates to Screening of automotive use areas, and which presently reads:

"C. Screening - Every automotive use area, except off-street parking areas for less than five (5) vehicles, shall be screened from any adjoining lot in any R District, including lots situated across the street, as follows:

1. ...
2. Along a rear lot or an interior side lot line which abuts an existing or future rear yard or side yard on such adjoining lots, by a compact evergreen hedge which will reach a height of 5 feet within three years, or by a solid fence or an unpierced masonry wall 5 feet in height."

shall be amended by deleting the words "by a compact evergreen hedge which will reach a height of 5 feet within three years or."

4. RESOLVED THAT ARTICLE XI - DEFINITIONS, Section 11-10 definition of "Family" shall be repealed; and that a new definition of "Family" be enacted to read as follows:

"Family. One or more persons related by birth, marriage or other domestic bond, occupying a dwelling unit and living as a single housekeeping unit; provided, however, that temporary gratuitous guests or roomers, not in excess of the number allowed as an accessory use by this Ordinance, may be permitted."

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

Dated: June 25, 1979
RICHARD M. MOLESKI
Town Clerk
July 5

NOTICE OF HEARING
ON PROPOSAL TO AMEND
ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 25th day of June, 1979, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 16th day of July, 1979 at 7:00 o'clock P.M., at the

Subscribed and sworn to before me this 5th day

of July, 1979

Eleanor Leaser
Notary Public in and for Erie County

Item No. 3 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Anthony Scaccia has applied for a rezoning from R-Residential District to C-Retail Business District on property located at 575 French Road, Cheektowaga, New York, and being more particularly described as follows:

ALL THAT Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number one hundred eight (108), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and further distinguished as Subdivision Lot Number sixty-six (66), as shown on map entitled "French Lea Estates Part I," filed in Erie County Clerk's Office under Cover Number 2175,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 21st day of May, 1979 at 6:30 o'clock P.M., Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York, and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Erie County Department of Planning and the Cheektowaga Planning Commission have both recommended denial of this application, and

WHEREAS, the proposed rezoning may be detrimental to the surrounding property owners and residents, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential District to C-Retail Business District be and is hereby denied.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 4 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Robert E. Mariacher & Others have applied for a rezoning from M-1 Light Manufacturing District to R-Residential District on property located on the 2300 block of Union Road (33.5+ acres), Cheektowaga, New York, and being more particularly described as follows:

ALL OF THAT PARCEL OR TRACT OF LAND, situate in the Town of Cheektowaga, County of Erie, State of New York, being part of Lots Nos. 59, 60, 87, 88, 89 & 90, Township 10, Range 7, of the Buffalo Creek Indian Reservation, bounded and described as follows:

BEGINNING at a point on the southerly line of lands conveyed to Mary Ast by Deed recorded in Liber 800 of Deeds at Page 348, said point being 400.00' from the easterly line of Union Road, as measured along said southerly line of Liber 800, Page 348; thence easterly along the southerly line of lands so conveyed to Mary Ast by Deed aforesaid 313.75 feet to the westerly line of Lot 89; thence northerly along the westerly lines of Lots 89 and 60, a distance of 872.30 feet to a point, thence easterly at an angle of 68° 32' 05" and along the center line of Slate Bottom Creek 799.30 feet to an angle point; thence easterly at an interior angle of 163° 03' 30" continuing along the center line of said creek 443.65 feet to its intersection with the monumented center line of the Penn Central RR Tract No. 250; thence southerly at an interior angle of 89° 29' 00" and along the center line of said Tract No. 250, a

Item No. 4 cont'd

distance of 674.84 feet to the P.C. of a curve to the left having a radius of 474.07 feet, an arc distance of 249.20 feet to its intersection with the extension northerly of the monumented center line of Tract No. 250 as aforesaid; thence southerly along the said northerly extension and the monumented center line of said Tract No. 250 a distance of 903' more or less to the west line of Lot 89; thence northerly along said west line of Lot 89 420' more or less to a point; thence easterly a distance of 310' more or less to a point; thence northerly along a line parallel to the west line of Lot 89m 805' more or less to the POINT OF BEGINNING. Containing 33,5+ acres,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 17th day of July, 1978 at 6:30 o'clock p.m., Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Cheektowaga Planning Board has recommended denial of said rezoning because residential dwellings and the potential traffic funnelling into and out of the area from said dwellings could create a traffic hazard, and

WHEREAS, it appears that the proposed rezoning would not be conducive to the use of the surrounding area by the owners or occupants thereof, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of said premises from M-1 Light Manufacturing District to R-Residential District be and hereby is denied.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 5 Decision on Rezoning - 3507 Union Road
This item was withdrawn by the application on June 22, 1979.

* See next two (2) pages for letters from Paul M. Robshaw, Inc., applicant and John V. Rogowski, Town Attorney.

PAUL M. ROBshaw, INC.



Administrative Offices., 1876 Niagara Falls Blvd., Buffalo, New York 14150 • 716/695-2800

4511 Main Street, Amherst, N.Y. 14226
879 Hopkins Road, Williamsville, N.Y. 14221
3507 Union Road, Cheektowaga, N.Y. 14225
56200 South Park Avenue, Hamburg, N.Y.

• 716/639-0034
• 716/669-6383
• 716/661-3700
• 716/648-5300

36 Pine Street, Lockport, N.Y. 14094
445 Center Street, Lewiston, N.Y. 14092
1876 Niagara Falls Blvd., Tonawanda, N.Y. 14150

• 716/433-2626
• 716/754-4356
• 716/694-5990

June 22, 1979

Mr. Richard Moleski
Town Clerk
Town of Cheektowaga
Broadway & Union
Cheektowaga, New York 14227

Dear Mr. Moleski:

At the present time, we would like to withdraw our application for rezoning for the property at 3507 Union Rd., Cheektowaga, New York.

Sincerely,

Paul M. Robshaw
PMR:ps

cc: Town Board
John Rogowski, Town Attny.

RECEIVED

JUN 22 1979

Richard M. Moleski, Town Clerk

DEPARTMENT OF LAW
686-3457

TOWN ATTORNEY
JOHN V. ROGOWSKI

DEPUTY TOWN ATTORNEY
ROBERT MILLER

DEPUTY TOWN ATTORNEY
JAMES J. KIRSH

DEPUTY TOWN ATTORNEY
JOSEPH J. SCHOLLKOPF, JR.



**TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK**

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

June 22, 1979

MEMORANDUM

**TO: Honorable Town Board Members
Town Clerk**

FROM: John V. Rogowski, Town Attorney

RE: Request for Rezoning - 3507 Union Road

Please be advised that the above captioned rezoning has been placed before the Town Board for its consideration. The applicant has, on June 22, 1979, submitted his request to withdraw his application and to request the Board not to act on this matter.

In view of the above circumstances, the application may be withdrawn and the rights of the owner and/or his agent to reapply at any time is thereby reserved and the one-year waiting period for re-application will not apply.

Respectfully submitted,

DEPARTMENT OF LAW

John V. Rogowski
JOHN V. ROGOWSKI
Town Attorney

JVR:jr

Item No. 6 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Richard N. Urbanski has applied for a rezoning from R-Residential District to CM-General Commercial District on property located at Rear of 2989 Genesee Street, Cheektowaga, New York, and being more particularly described as follows:

BEGINNING at the point of the easterly line of Heritage Court, said point being one hundred nine and fifty hundredths (109.50) feet south of Genesee Street, running thence southerly thirty five (35) feet; thence easterly at right angles one hundred seventy-eight (178) feet to the westerly line of Andres Place; thence northerly along the westerly line of Andres Place twenty-seven (27) feet to a point; thence westerly along a line at right angles to the westerly line of Andres Place eighty-eight and twenty-five hundredths (88.25) feet to a point; thence northerly along a line eleven and twenty-eight hundredths (11.28) feet to a point; thence westerly eight-nine and seventy-five hundredths (89.75) feet to the point of beginning,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 2nd day of April, 1979 at 6:30 o'clock P.M., Eastern Standard Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the said proposed rezoning may be detrimental to the surrounding property owners and residents, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential District to CM-General Commercial District be and is hereby denied.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Roger J. Kotlowski has applied for a rezoning from R-Residential District to RC-Restricted Business District on property located at 50-54 Northcrest Avenue, Cheektowaga, New York, and being more particularly described as follows:

THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being of part of Lot Number Twelve (12), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey and further distinguished as subdivision Lot Numbers Two Hundred Thirty-eight (238) and Two Hundred Thirty-nine (239) as shown on a map of U-Crest Terrace - filed in the Erie County Clerk's Office under Cover Number 1205,

and to amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 4th day of June, 1979 at 6:30 o'clock P.M., Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York, and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Erie County Department of Planning and the Cheektowaga Planning Commission have both recommended denial of this application, and

WHEREAS, the proposed rezoning may be detrimental to the surrounding

Item No. 7 cont'd

property owners and residents, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential District to RC-Restricted Business District be and is hereby denied.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, the United States Supreme Court has stated that the United States Constitution does not permit a state to prohibit abortions during the first two trimesters of pregnancy, and

WHEREAS, infants born prior to the end of the first two trimesters of pregnancy have lived, and

WHEREAS, the interpretation of the United States Supreme Court that the life of an infant can be terminated before birth is the law of the land and can be changed only by amendment of the United States Constitution, and

WHEREAS, the taking of human life by abortion is a matter of such serious concern and complexity as to merit Congressional enactment of a Constitutional Amendment, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby requests Congress to draft and enact a Constitutional Human Life Amendment to prohibit abortion, and BE IT FURTHER

RESOLVED that if a Right-to-Life amendment to the U.S. Constitution is presented to the New York State Legislature for ratification, it is hereby requested by the Town of Cheektowaga that a Right-To-Life amendment to the New York State Constitution be drafted and approved by the New York State Legislature so that the people of the State of New York shall be given an opportunity to vote directly on the question in a referendum, and BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to the United States Senators from New York, and Congressional representatives, State Senators and Assemblyman representing the Town of Cheektowaga, Erie County, New York.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, under the medical assistance (Medicaid) provisions of the New York Social Service Law, taxpayers are required to pay for medical treatment for persons considered unable to afford services, and

WHEREAS, taxpayers should not be forced to pay for medical services which are not medically necessary to protect a person's life and health, and

WHEREAS, State Officials must consider action to stem the escalating costs of the State Medicaid Program, which are the highest in the nation and cover a wider range of "optional" services not required by federal law, and

WHEREAS, the federal government reimburses states for 50% of Medicaid costs, with the state and county each paying 25% of such coverage, including abortions, but only those performed where rape or incest are involved, (where the mother's life is endangered, or where severe physical damage to the woman would result if the baby were carried to term), and

Item No. 9 cont'd

WHEREAS, New York State has decided to continue Medicaid funding for all abortions deemed "medically necessary" including those not eligible for 50% federal funding, and

WHEREAS, the certification of "medical necessity", requiring only a doctor's signature, can be obtained if the pregnancy will interfere with the "normal activity" of the mother (Soc. Ser. Law Sec. 365-a) and results in operations for which the state and the county each share half the cost, and

WHEREAS, tax funds should not be used to subsidize the taking of human life merely to avoid interference with normal activity, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby requests the State Legislature, the Governor and the State Social Services Commissioner, to eliminate Medicaid funding for abortions except in cases of rape, incest or where the mother's life is endangered, or where severe damage would result, and BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to State Legislators representing the Town of Cheektowaga, Erie County, the Governor and the State Social Services Commissioner.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Supervisor Meyers, seconded by Councilman Kaczmarek

WHEREAS, Erie County communities have built new sewage treatment facilities at a great expense to the local taxpayers and which will further burden the local taxpayers due to the expensive nature of their operation and maintenance, and

WHEREAS, there now appears to be some question as to the need for the Advanced Wastewater Treatment (AWT) portion of these treatment facilities, and

WHEREAS, the regional approach to sewer systems and the construction of same has eliminated many treatment plants which were once eligible for State O & M aid and have been replaced in some cases by major pumping stations which may be subject to State O & M aid but have not as yet been so included, and

WHEREAS, the Great Lakes International Joint Commissioner (IJC) has determined that phosphorous discharges from wastewater treatment plants should be reduced from 1 mg/l to 0.5 mg/l, but only for those facilities tributary to Lakes Erie and Ontario, and

WHEREAS, the benefits of Advanced Wastewater Treatment, including Phosphorous removal, are mutually shared and benefited among other communities downstream of Erie County, including the United States' neighbor to the north, Canada, for which Erie County communities must pay the local share of construction and almost the entire share of operating and maintaining (O & M) those facilities, and

WHEREAS, the Honorable County Executive has written to the United States Environmental Protection Agency and the State Government requesting Federal payment of AWT and increased State O & M aid, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga acting as Board of Managers for Town Sewer Districts #3, #5 and #7 is hereby memorializing the United States Congress to revise funding regulations so that 100% of the cost of constructing advanced waste treatment will be borne by the Federal Government and that the Federal Government considers contributing towards the O & M portion of Advanced Wastewater Treatment, and BE IT FURTHER

RESOLVED that the New York State Legislature also be memorialized increasing the O & M aid program for sewage treatment plants from its present 25% to 33 1/3% for the secondary portion of treatment plants and to pay for 100% of the O & M for Advanced Waste Treatment, and BE IT FURTHER

Item No. 10 cont'd

RESOLVED that the Town Clerk is directed to send copies of this resolution to the local State and Federal representatives, Erie County Legislature, Erie County Executive, United States Congress, New York State Legislature, the President of the United States, Governor Hugh Carey, the United States Environmental Conservation and the Erie County Department of Environment & Planning.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, approved capacity at the major sanitary landfill facilities in Erie County is rapidly being depleted, and

WHEREAS, alternatives for disposal by municipal and commercial haulers are severely limited, and

WHEREAS, tipping fees at existing landfills are increasing substantially as evidenced by a 28% increase at one landfill during 1978, with an additional 33% increase effective June 1st, for 1979, and

WHEREAS, competition among commercial solid waste haulers is being restricted because of lack of alternatives for disposal, and

WHEREAS, a number of municipalities are individually investigating resource and energy recovery facilities for solid waste, and

WHEREAS, it is deemed beneficial to coordinate solid waste management activities to achieve economies in hauling, transfer, disposal, resource recovery and other such activities, and

WHEREAS, it is appropriate for the County of Erie to provide leadership in evaluating the current solid waste problems and develop and promote the implementation of solutions to these problems in Erie County, and

WHEREAS, the Erie County Legislature, in July of 1974, went on record in favor of County involvement in solid waste management, NOW, THEREFORE, BE IT

RESOLVED that the County of Erie be and hereby is memorialized to provide continuous and concerted leadership in developing and promoting the implementation of a cost effective, environmentally sound solid waste management program for Erie County, and BE IT FURTHER

RESOLVED that the County of Erie is hereby memorialized to investigate the formation of refuse districts, inter-municipal contracts or other administrative arrangements to allow coordination of solid waste management efforts, and BE IT FURTHER

RESOLVED that the County of Erie is hereby memorialized to work closely with local municipalities and other agencies in this solid waste management effort, and BE IT FURTHER

RESOLVED that certified copies of this resolution be forwarded to New York State Department of Environmental Conservation, the United States Environmental Protection Agency, the Erie & Niagara Counties Regional Planning Board, Erie County Executive Edward Rutkowski and the Clerk of the Erie County Legislature.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town Board adopted a resolution at its June 18, 1979 Town Board meeting memorializing the New York State Department of Environmental Conservation to defer the granting of a landfill permit to Wilfred Schultz until the opportunity is afforded to neighboring residents to voice concerns and until a meeting is held with the Town Board in order to place height restrictions, and

WHEREAS, said resolution was hand delivered to D.E.C. officials by an employee of the Town, and

WHEREAS, hte Town has been informed that a permit was, in fact, issued by the D.E.C. to Wilfred Schultz on June 20, 1979 and will be valid for a one-year period, and

WHEREAS, as stated in the June 18, 1979 resolution, that on February 26, 1979, a negative declaration under the State Environmental Quality Review Act was issued by the lead agency, New York State Department of Environmental Conservation, months prior to the submission of a proposed grading plan, and the negative declaration was issued without addressing the concerns of neighboring property owners and the Town regarding height limitations, and

WHEREAS, it appears that the granting of the permit is detrimental to the residents of the area affected thereby and it appears necessary that some action be taken by the Town to enjoin said landfill operation, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to commence "Article 78" proceedings, Show Cause Order, or any other legal proceedings which may be deemed necessary to seek the revoking of the permit and/or enjoining the uses of said landfill site.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek, Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, Michael Wycoki has made application to the Town for a topsoil removal permit for the purpose of removing a portion of previously stockpiled topsoil, and

WHEREAS, said applicant has complied with the necessary requirements and has paid the necessary fees therefor to comply with the provisions of Ordinance No. 16 of the Town of Cheektowaga Code (Regulating Sand Bank and Gravel Pits, Topsoil Removal and Other Excavations), and

WHEREAS, Section 3F. pertaining to Golden Nematode of Potato may be waived according to the attached letter from the Department of Agriculture and Markets, and

WHEREAS, access to the site shall be gained from Borden Road, NOW, THEREFORE, BE IT

RESOLVED that the Town grants a permit to Michael Wycoki to remove topsoil on his land, the survey of which land is attached hereto and made a part hereof; and the Engineering Department has also submitted its approval which is attached to said resolution, and BE IT FURTHER

RESOLVED that the Town Board be and hereby is authorized to sign said topsoil removal permit.

* See next four (4) pages

sent Orig
to owner

PERMIT
for
TOPSOIL REMOVAL

The undersigned members of the Town Board hereby approve
and issue a Permit to Michael Wycoki to remove
topsoil on lands owned by him and in accordance with all provisions
and attachments of a resolution duly passed by the Town Board at a
regular Town Board meeting on June 25, 1979.

Dated: Cheektowaga, New York
June 25, 1979

Kenneth J. Meyers
Kenneth J. Meyers, Supervisor

Frank E. Swiatek
Frank E. Swiatek, Councilman

Thomas M. Johnson
Thomas M. Johnson, Councilman

Frank J. Duk
Frank J. Duk, Councilman

George Kaczmarek
George Kaczmarek, Councilman

James R. Burst
James R. Burst, Councilman

Donald J. Wegner
Donald J. Wegner, Councilman



STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
J. ROGER BARBER, COMMISSIONER
ALBANY, NEW YORK 12235

DIVISION OF PLANT INDUSTRY
BUREL H. LANE, DIRECTOR
R. O. BARRETT, ASST. DIRECTOR

March 24, 1977

Mr. John V. Rogowski
Town Attorney
3223 Union Road
Cheektowaga, New York 14227

Dear Sir:

Please find the enclosed Golden Nematode Quarantine Part 127 that we discussed on March 21, 1977.

Because Cheektowaga is not located in a regulated or quarantined area, it would not be necessary to issue state or federal permits.

Sincerely,

Peter S. Deth
Supervising Horticultural Inspector

PSD:jpr
Encl.
cc: Brian Bohne
Martin Davis
Custom Topsoil, Inc.

RECEIVED

MAR 2 1977

Town Attorney

119032

3-74

L6933/177

L6909/175

3-76

L7426/117

674.5

120'

L752

3330 AC

1-270-10

1809.72'

8.5 AC

1-271

1809.72'

1350.0'

SAC

1-270

1-270-10
4271 SHURN
KINDS VLG
EXISTING STOCK PILE

426

37.50 AC
11.505 AC

1-269

BORDEN - BORDEN CORP.
112 BORDEN

424.38'

BORDEN

2175.56

91	92	93	94	95	96	97	98	99	100
2376									
60'	60'	60'	60'	60'	60'	60'	60'	60'	60'
MC	MC	MC	MC	MC	MC	MC	MC	MC	MC
101	102	103	104	105	106	107	108	109	110
111	112	113	114	115	116	117	118	119	120
121	122	123	124	125	126	127	128	129	130
131	132	133	134	135	136	137	138	139	140
141	142	143	144	145	146	147	148	149	150
151	152	153	154	155	156	157	158	159	160

DR.

45-10-1 (11x594)

1-268 5590/222 78AC

DR.

150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	
2376																					
60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'	60'
MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC
171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192
193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214
215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236

DR.

PAPWOOD

1-266

9 AC

Item No. 13 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 14 Town takeover of County Roads
This item was withdrawn.

Item No. 15 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, the Department of Public Works of the County of Erie has submitted to the Town permits relative to signs which are installed at the following locations:

1. North side of William Street, CR #207, from the west curb line of Starlite Avenue to the east curb line of Standard Parkway.
2. Cayuga Creek Road, CR #165
Northwest Side: from the south curb line of
North Side: William St., CR 207, to its intersection with Harlem Road
3. Cayuga Creek Road, CR #165
Southeast Side: from the south curb line of
South Side: William St., CR 207, to its intersection with Harlem Road

and

WHEREAS, it is required that the Town execute an application, a copy of which is attached hereto and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign said application on behalf of the Town, and BE IT FURTHER

RESOLVED that a certified copy of this resolution and the copies of said applications to be signed by the Deputy Commissioner of the Erie County Department of Public Works be forwarded to the County of Erie Department of Public Works.

* See next two (2) pages for application

Item No. 15 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 16 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, this Town Board, in order to resolve flooding problems in the Autumnwood area and consistent with its official drainage systems map, undertook drainage relief projects identified as Autumnwood Part I and Autumnwood Part II, and

WHEREAS, these drainage relief projects required that storm waters generated on Autumnwood be diverted to another watershed area traversing through different properties, and

WHEREAS, it was understood that construction was to be undertaken for a project identified as Autumnwood Part III which project was to extend the storm sewer system through property in the watershed northwest of Autumnwood Parts I and II, NOW, THEREFORE, BE IT

RESOLVED that construction materials should be provided by the Town for the construction of Autumnwood III, such materials being pipe, stone, concrete, blocks and other related construction materials, and BE IT FURTHER

RESOLVED that said expenditure in an amount not to exceed \$38,000.00 shall be chargeable to Town Budget Item No. H.8540. .84.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 17 Clean up of property at N.W. Corner of French and Towers
This item was withdrawn.

Item No. 18 Motion by Councilman Wegner, seconded by Councilman Kaczmarek

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 1091 Maryvale Drive, in the Town of Cheeko-waga, New York and according to the Assessor's Office records is owned by Joseph Mariuszewski and wife, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up 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, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Burst, seconded by Councilman Swiatek

RESOLVED that the following individuals are hereby hired as seasonal employees in the following Departments at the rates listed:

Item No. 19 cont'd

Recreation Department - Basket Checker - \$2.20/hour

Kim Marzolf

Recreation Attendant - \$2.90/hour

Tina Monaco
Jolette Camarda
Mary Ann Tenney

Transfer from Basket Checker to Clerk (P/T) in Facilities Dept. - \$2.90/hour

Kathy Garmone

Clerk (P/T) - Assist in All Departments as Needed - \$2.90/hour

Lisa Ciminelli

Sanitation Department - Laborers - \$2.90/hour

Paul Janicki

Laborer in the Facilities Department at \$2.90 per hour

Raymond Scott Zurowski

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

Motion by Councilman Swiatek, seconded by Councilman Burst

BE IT RESOLVED that the following individuals be and hereby are hired for the Town's summer employment season in the Departments listed below at the following rates:

SUMMER DAY CAMP FOR DEVELOPMENTALLY DISABLED YOUTH

Counselors @ \$2.90 per hour

Monica Hull
Margaret Waite

Laborers @ \$2.90 per hour

Deborah R. Burzynski
Diane M. Dittmar
Roberta L. Gaiek
Lynda S. Hanel
Ronalee A. Juzdowski
Deborah R. Kazmierczak
Paulette Krenn
Susan Landgraf
Joan E. Neal
Lisa A. Simone
Nancy S. Smith
Maria R. Suozzi
David T. Harvey
Gregory Korczynski
Jeffery E. Kujawa
Anthony D. Mazza
Michael D. Miller
Jim C. Mol
Douglas M. Okulewicz

Item No. 19 con't

David E. Shalke
Matthew J. Stachowiak
Charles P. Trimper
Christopher A. Weber
Bob E. Wesolowski
Gerry Wick

Y.C.C. YOUTH LEADERS @ \$3.15 per hour

Laurie Krajewski
Laurie Monczyski
Martin Snyder

Y.C.C. and HOMETOWN BEAUTIFICATION

CONSTRUCTION COORDINATOR @ \$5.00 per hour

Ray Toporczyk

CREW SUPERVISORS @ \$4.00 per hour

Edward Bernal
Gary Gardinier
Mark Kensy
Robert E. Off
Nancy Ruslander
Bruce Sebian
John Michalek

HOMETOWN BEAUTIFICATION @ \$2.90 per hour

Greg Baran
James E. Bell
Stanley Bystrak
Joan M. Cieply
Sharon Cowles
Kevin DiTondo
Jackie Dunn
William Ertel, III
Jeffrey Fiorello
Barbara Ann Fischer
Cheryl Ann Fissler
Susanne Garbacz
Donna Garza
Michael J. Griffin
Thomas J. Griffin
Bill Hartel
Thomas Henninger
Cindy Jozwiak
David Kaczmarowski
Joyce Karaszewski
Robert Karaszewski, Jr.
David Kosmider
Tom Kotlik
Ted Kuzniarek
Anthony Lattuca
Dawn Truax
Robert Havernick
Wayne Lesinski
Stan Lisowski
Sue Marinaccio
Ed Mazurek
Francis Norman
Barbara J. Penny
Lorene Petroski
Andrew Piocente
Kent Pilarski
Dennie Schiavone
Thomas J. Sinica

Item No. 19 cont'd

Julie Stachewicz
Michael T. Trautman
David Wayne
Susan K. Wegner
Carolyn Zack
Richard Zasada
David Zygaj
Michael Burzynski
Larry Wiatrowski
Mark Budziszewski
Ken Pawlowski
Joe Burgio
Russ Adymy
Stephen Klaja
Donald Thomas
Linda Marie Tkaczyk
Cynthia Biskupski
Carl Calabrese
Michael Millett
Laura Bernard

HOMETOWN BEAUTIFICATION

YOUTH LEADERS @ \$3.15 per hour

Michael Snyder
James Szemraj
Dave Toporczyk
James Czajka
Rebecca Stawasz
Gary Sovinsky

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 20 Termination and appointment of planning consultants
This item was withdrawn.

Item No. 21 Approval of change order regarding Autumnwood Drainage Project,
Part II
This item was withdrawn.

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23 Hartford Steam Boiler Inspection & Insurance Company - letter regarding
Air Conditioning units at S. Branch Library on William Street
Copies were sent to: Town Board; Chester Bryan, Town Engineer;
Jim Matecki, Facilities Department.
Received and Filed.

Item No. 24 William Street Citizens & Taxpayers Assn. - letter regarding
playgrounds on Dingens Street and behind Theodore Roosevelt School
Copies were sent to: Town Board; Jim Matecki, Facilities Department;
Ed Leak, Recreation Director.
Received and Filed.

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: 683-4775

ROBERT KARASZEWSKI
Deputy Superintendent



TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

May 29, 1979

RECEIVED

Honorable Kenneth J. Meyers, Supervisor
Honorable Town Board Members
Town Hall, Cheektowaga, New York

JUN 4 1979

RE: Martinique Subdivision - Acceptance
of Part of Barbados Dr. & LeHavre
Dr. at Town Highways
Richard M. Moleski, Town Clerk

Gentlemen:

The Highway Department Engineer and I have inspected Barbados and LeHavre Drives, and find these streets as having been built as per our specifications.

It is my understanding that a satisfactory agreement has been affected between the developers and our town engineer and town attorney regarding the outcome of some yet unfinished work in Slate Bottom Creek.

The streets to be accepted are as follows:

(Part of) Barbados Dr. - \pm 900', fronting sublots 5 thru 17, 59 and 69.

(Part of) LeHavre Dr. - \pm 320', fronting sublots 4 thru 7, 69 and 70.

It is further required that a tree must be planted in front of each new house in this subdivision, by the builder.

As a bond and deed are on file in the town attorney's office, I hereby recommend the acceptance of the two (2) streets described above into our system of highways.

Very truly yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek
Superintendent of Highways

AFW/mss

Copies:

C. L. Bryan, Town Engineer ✓
R. Moleski, Town Clerk
T. Skowron, Highway Engineer

R. Marten, Bldg. Inspector
J. Rogowski, Town Attorney
Files

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

Item No. 25 Maryvale Homeowners & Taxpayers Assn. - letter regarding vandalism
in Town Parks

Copies were sent to: Cheektowaga Town Board; Jim Matecki, Facilities
Department.
Received and Filed.

IV. FROM THE TABLE

Item No. 26 Memorialize E.C. Regarding Solid Waste Management
This item was withdrawn permanently.

V. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman Swiatek
to suspend the rules to include the following item.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner

NAYES: 0

ABSENT: 0

Item No. 27 Acceptance of portions of Town Highways in Martinique Heights Subdivision

Motion by Councilman Kaczmarek, seconded by Supervisor Meyers

BE IT RESOLVED that the following named highways, as more particularly
described in the letter of the Highway Superintendent attached hereto and made a
part hereof, be accepted as set forth in the letter:

BARBADOS DRIVE (part of) + 900' fronting sublots
5 through 17, 59 and 69

LE HAVRE DRIVE (part of) + 320' fronting sublots
4 through 17, 69 and 70

and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed
to record the Deed in connection with the above acceptance in the Erie County
Clerk's Office.

* See next page for letter from Highway Department

Item No. 27 cont'd

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Kaczmarek,
Burst and Wegner
NAYES: 0
ABSENT: 0

Item No. 28 Motion by Councilman Kaczmarek, seconded by Councilman Wegner
to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk