

\*\*\*\*\*  
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. 1 - January 2, 1980</u>	
2	Amendment to Traffic Ordinance - Article X: "Parking, Standing, Stopping" (EAST TREEHAVEN ROAD)	1
3	Amendment to Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (DALE RD. & PEPPY PL.); Article X: "Parking, Standing, Stopping" (McNAUGHTON AVE.)	1-2

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

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 1 - January 2, 1980</u>	
4	Appointment of Town Attorney.	2
*5	Appointment of Town Attorney and First Deputy Town Attorney. *See Court Reporter Minutes on this item following regular Town Board minutes.	2
6	Set salary of Deputy Supervisor.	2-3
7	Appointment of Deputy Supervisor.	3
8	Abolish position of Deputy Supervisor.	3
9	Appointment of Town Engineer.	3
10	Appointment of Town Engineer	3
11	Appointment of Registrar and Deputy Registrars of Vital Statistics.	3
12	Appointment of Registrar and Deputy Registrars of Vital Statistics.	3-4
13	Appointment of First and Second Deputies in the Office of the Town Clerk.	4
14	Appointment of First and Second Deputies in the Office of the Town Clerk.	4
15	Appointment of Supervisor's Secretary.	4
16	Appointment of Supervisor's Secretary.	4-5
17	Set salary of Executive Director of the Youth Bureau.	5
18	Set salary of Executive Director of the Youth Bureau.	5
19	Set salary of Chief of Police.	5
20	Set salary of Chief of Police.	5
21	Set salary of Assistant Chief of Police.	5
22	Set salary of Assistant Chief of Police.	6
23	Appointment of Deputy Receiver of Taxes.	6
24	Appointment of Deputy Receiver of Taxes.	6
25	Set salary of Building and Plumbing Inspector.	6
26	Set salary of Building and Plumbing Inspector.	6
27	Appointment of Deputy Superintendent of Highways.	6
28	Appointment of Deputy Superintendent of Highways.	6-7
29	Appointment of Clerk of Justice Court.	7
30	Appointment of Clerk of Justice Court.	7
31	Appointment of Clerk to the Town Justice.	7
32	Appointment of Clerk to the Town Justice.	7
33	Appointment of Clerk to the Town Justice.	7-8
34	Appointment of Clerk to the Town Justice.	8
35	Appointment of Police Matrons.	8
36	Appointment of Police Matrons.	8
37	Appointment of Mail Clerk.	8
38	Appointment of Mail Clerk.	8-9
39	Appointment of Assistant Plumbing Inspector, part-time.	10
40	Appointment of Assistant Plumbing Inspector, part-time.	10
41	Appointment of Director of Recreation.	10-11



RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 1 - January 2, 1980</u>	
42	Set salary of Sole Assessor.	11
43	Set salary of Real Property Appraiser.	11-12
44	Appointment and set salary of Director of Personal Services.	12
45	Appointment and set salary of Community Development Coordinator.	12
*46	Appointment of Working Foreman in the Sanitation Department. *See Court Reporter Minutes on this item following regular Town Board Minutes.	12
47	Appointment of Bingo Inspector Chairman and Bingo Inspectors.	12
48	Youth Board - Appointment of part-time employees for special programs.	12-13
49	Appointment of part-time Clerk-Typist in the Sanitation Department.	13
*50	Advertise in accordance with Affirmative Action Plan for full- time and part-time employees. *See Court Reporter Minutes on this item following regular Town Board Minutes.	13
51	Retention of Risk Management Consultant for the year 1980.	13-14
52	Retention of Accounting Firm for the year 1980.	14
*53	Hiring of Law Firm to assist Legal Department. *See Court Reporter Minutes on this item following regular Town Board Minutes.	14
54	Establishment of wage rates for non-union, appointed personnel.	9-10
55	Set salaries for Town Officials and employees for the year 1980.	14
56	Establishment of Town Board work sessions.	14
57	Establishment of regular Town Board Meeting dates.	15
58	Adoption of Rules of Procedure relative to Town Board meetings.	16
59	Official Town Depositors.	16
60	Town Official Sureties.	17
61	Resolution covering Supervisor's Facsimile Signature.	17-18
62	Create position of "Mechanic" in the Central Garage.	18
63	Create position of "Mechanics Helper" in the Central Garage.	18
64	Authorization for Supervisor to sign agreement with N.Y.S. Dept. of Labor re: Youth Community Conservation & Improvement Project.	18-19
65	Town Clerk's Office - Call for public hearing for rezoning at 3507 Union Road.	19
66	Facilities Dept. - Advertise for bids for furnishing of Athletic White Stripe for 1980.	20
67	Facilities Dept. - Advertise for bids for furnishing of Pool Maintenance Chemicals for 1980.	21
68	Facilities Dept. - Advertise for bids for leasing and servicing of Portable Chemical Toilets for 1980.	22

\* \* \* \* \*  
 W A I V E R O F R U L E S  
 \* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 1 - January 2, 1980</u>		
69	Town Official Sureties.	23
70	Resolution covering Supervisor's Facsimile Signature.	23
71	Decision on Special Permit - Dale Road opposite Anderson Road.	23
72	Decision on Rezoning - 756 French Road.	23-24
73	Request permit from County of Erie re: Prohibition of parking on certain portions of George Urban Blvd.	24-25
74	Call for public hearing to amend Traffic Ordinance - Art. VIII: "Stop & Yield" Intersections (CENTRAL BLVD., OLD STONE RD., MARYWOOD DR.); Art X: "Parking, Standing, Stopping" (WOODSIDE LANE & RIFFEL TERRACE).	25-26
75	Reduction of membership from the Traffic Safety Commission.	27
76	Appointment and set salary of Facility Department Director.	27
77	Rescind Item No. 41 from Town Board Meeting of 1/2/80.	27
78	Set salary of Recreation Director.	27

\*Court Reporter's Minutes follow the regular Town Board Minutes; these minutes contain details on Item Nos. 5, 46, 50 and 53.

\*Details on Item Nos. 5, 46, 50 & 53 follow regular Town Board Minutes (Court Stenographer Notes).

REORGANIZATIONAL MEETING NO. 1

CHEEKTOWAGA, NEW YORK  
JANUARY 2, 1980

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 January, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Kenneth Kopacz, Executive Director of the Youth Bureau; Sal LaGreca, Assistant Manpower Program Director I; Ed Leak, Recreation Director; Ronald Marten, Building & Plumbing Inspector; James Matecki, Director of the Facilities Department; Robert Miller, Deputy Town Attorney; Julia Reinstein, Town Historian; Dennis Repka, Town Justice; John Rogowski, Town Attorney; Joe Schoellkopf, Deputy Town Attorney; Legislator Richard Slisz; Al Thrun, Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway Superintendent; Ronald Zoeller, Foreman of the Sanitation Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment 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 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. Parking prohibited in designated locations is amended by adding thereto the following.

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

C. No parking here to corner

EAST TREEHAVEN ROAD                      West side                      from the north curb line of  
KENSINGTON AVENUE to a point 100  
feet therefrom

\* \* \* \* \*

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

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more

Item No. 3 Cont'd.

particularly described, the Supervisor directed the Town Clerk to present proof of 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 VIII

Stop and Yield Intersections

Section 80. Stop intersections designated shall be amended by deleting the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
DALE ROAD	East-west	THE AVENUE	Southbound	N.W. Corner

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
PEPPY PLACE	North-south	DALE ROAD	Eastbound	S.W. Corner
PEPPY PLACE	North-south	DALE ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations is amended by adding thereto the following.

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

C. No parking here to corner

McNAUGHTON AVENUE	East side	from the south curb line of GEORGE URBAN BOULEVARD to a point 120 feet therefrom
-------------------	-----------	--

\* \* \* \* \*

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. 4 Appointment of Town Attorney.  
Motion by Councilman Johnson, seconded by Councilman Burst to table this item.

Item No. 5 Appointment of Town Attorney and First Deputy Town Attorney.  
Motion made by Councilman Johnson, seconded by Councilman Dux to withdraw this item.

Item No. 6 Motion by Councilman Wegner, seconded by Supervisor Meyers  
RESOLVED that the salary for the following official of the Town

Item No. 6 Cont'd.

of Cheektowaga for the year 1980 be and hereby is \$500.00, per annum.

DEPUTY SUPERVISOR

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 7 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Board of the Town of Cheektowaga has previously created the position of Deputy Supervisor by Town Board resolution dated January 2, 1976, and

WHEREAS, according to Section 42 of the Town Law of the State of New York provides an appointment to the position of Deputy Supervisor, said appointment to be made by the Supervisor of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that effective immediately, Councilman Frank E. Swiatek, residing at Depew, New York, be and hereby is appointed to the position of Deputy Supervisor.

Upon Roll Call....

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

Item No. 8 Abolish position of Deputy Supervisor.  
Motion made by Councilman Johnson, seconded by Councilman Burst to table this item.

Item No. 9 Appointment of Town Engineer.  
Motion made by Councilman Burst, seconded by Councilman Johnson to table this item.

Item No. 10 Appointment of Town Engineer.  
Motion made by Councilman Burst, seconded by Councilman Johnson to amend the original resolution to change salary from \$32,140.00 to \$32,000.00.

Vote on amendment was as follows.....

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

Motion made by Supervisor Meyers, seconded by Councilman Swiatek to table both the original resolution and the amendment.

Item No. 11 Appointment of Registrar and Deputy Registrars of Vital Statistics.  
Motion made by Councilman Johnson, seconded by Councilman Burst to table this item.

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

BE IT RESOLVED that Richard M. Moleski be appointed as Registrar of Vital Statistics of the Town of Cheektowaga for the years 1980-1981, and BE IT

FURTHER RESOLVED that Mary F. Holtz, as First Deputy and Linda M. Deyell, as Second Deputy be appointed as Deputy Registrars as provided for in Section 4121, Article 41 of the Public Health Law for the term ending December 31,

Item No. 12 Cont'd.

1981; said appointments effective as of January 1, 1980.

Upon Roll Call....

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

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Richard M. Moleski has advised the Town Board that he has appointed Mary F. Holtz, Cheektowaga, New York, as First Deputy and Linda M. Deyell, of Cheektowaga, New York, as Second Deputy in the office of the Town Clerk for the years 1980-1981, NOW, THEREFORE, BE IT

RESOLVED that Mary F. Holtz be and hereby is appointed as First Deputy at a salary of \$15,120.00 per annum, and Linda M. Deyell be and hereby is appointed as Second Deputy at a salary of \$13,235.00 per annum; said appointments effective as of January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 14 Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, Richard M. Moleski has advised the Town Board that he has appointed Mary F. Holtz as First Deputy and Linda M. Deyell as Second Deputy in the office of the Town Clerk for the years 1980-1981, NOW THEREFORE BE IT

RESOLVED that said appointments be and hereby are effective as of January 1, 1980 through December 31, 1981.

Upon Roll Call....

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

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

WHEREAS, Supervisor Meyers has advised the Town Board that he is re-appointing Diane Farugia as Secretary to the Supervisor as of January 1, 1980, NOW, THEREFORE, BE IT

RESOLVED that Diane Farugia be appointed as Secretary to the Supervisor, and BE IT FURTHER

RESOLVED that the salary of said Diane Farugia shall be \$15,730.00 per annum.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 16 Motion by Councilman Dux, seconded by Councilman Burst

WHEREAS, Supervisor Meyers has advised the Town Board that he is

Item No. 16 Cont'd.

re-appointing Diane Farugia as Secretary to the Supervisor, as of January 1, 1980, NOW THEREFORE BE IT

RESOLVED that Diane Farugia is hereby re-appointed Secretary to the Supervisor at an annual salary of \$15,000.00, effective as of January 1, 1980.

Upon Roll Call....

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

Item No. 17 Set salary of Executive Director of the Youth Bureau.

Motion made by Councilman Burst, seconded by Councilman Johnson to table this item.

Item No. 18 Motion made by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that Kenneth J. Kopacz, residing at Cheektowaga, New York be and hereby is appointed Executive Director of the Youth Bureau at an annual salary of \$20,780.00, effective as of January 1, 1980.

Upon Roll Call....

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

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

RESOLVED that Theodore G. DeFedericis, residing at Cheektowaga, New York, be and hereby is appointed Chief of Police, in the Cheektowaga Police Department at an annual salary of \$30,890.00, effective January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 20 Motion by Councilman Dux, seconded by Councilman Burst

BE IT RESOLVED that Theodore DeFedericis, residing at Cheektowaga, New York be and hereby is appointed Chief of Police in the Cheektowaga Police Department at an annual salary of \$30,000.00, effective as of January 1, 1980.

Upon Roll Call....

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

Item No. 21 Set Salary of Assistant Chief of Police.

Motion by Councilman Johnson, seconded by Councilman Burst to table this item.

Item No. 22 Motion by Councilman Dux, seconded by Councilman Burst

RESOLVED that John B. Gruber, residing at Cheektowaga, New York be and hereby is appointed Assistant Chief of Police in the Cheektowaga Police Department, at an annual salary of \$27,000.00, effective January 1, 1980.

Upon Roll Call....

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

Item No. 23 Appointment of Deputy Receiver of Taxes.

Motion made by Councilman Dux, seconded by Councilman Burst to table this item.

Item No. 24 Motion by Councilman Dux, seconded by Councilman Johnson

BE IT RESOLVED that Joan E. Dudek, residing at Cheektowaga, New York be and hereby is re-appointed Deputy Receiver of Taxes and Assessments in the Office of Ronald R. Norman, Receiver of Taxes, at an annual salary of \$15,120.00, effective as of January 1, 1980.

Upon Roll Call....

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

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

RESOLVED that Ronald Marten, residing at Depew, New York, be and hereby is re-appointed to the position of Building and Plumbing Inspector in the Town of Cheektowaga at an annual salary of \$22,130.00, effective January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

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

BE IT RESOLVED that Ronald Marten, residing at Cheektowaga, New York be and hereby is appointed Building and Plumbing Inspector of the Town of Cheektowaga at an annual salary of \$22,000, effective as of January 1, 1980.

Upon Roll Call....

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

Item No. 27 Appointment of Deputy Superintendent of Highways.

Motion by Councilman Johnson, seconded by Councilman Burst to table this item.

Item No. 28 Motion by Councilman Johnson, seconded by Councilman Dux

BE IT RESOLVED that Robert A. Karaszewski, residing at 70 Betty



Item No. 28 Cont'd.

Lou Lane, Cheektowaga, New York be and hereby is appointed as Deputy Superintendent of Highways of the Town of Cheektowaga, effective as of January 1, 1980, at an annual salary of \$21,386.12 (\$10.203 per hour), in accordance with the Supervisory Contract for the year 1980.

Upon Roll Call....

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

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that Thomas Kolbert, residing at Cheektowaga, New York, be and hereby is appointed Clerk of Justice Court, at an annual salary of \$18,685.00, effective as of January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 30 Motion by Councilman Dux, seconded by Councilman Rogowski

BE IT RESOLVED that Thomas Kolbert, residing at Cheektowaga, New York be and hereby is appointed Clerk of Justice Court at an annual salary of \$18,684.00, effective as of January 1, 1980.

Upon Roll Call....

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

Item No. 31 Motion by Councilman Wegner, seconded by Councilman Swiatek

RESOLVED that Robert Kapron, residing at Cheektowaga, New York, be and hereby is appointed Clerk to the Town Justice, at an annual salary of \$13,615.00, effective January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 32 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that Robert Kapron, residing at Cheektowaga, New York be and hereby is appointed Clerk to the Town Justice at an annual salary of \$13,555.00, effective as of January 1, 1980.

Upon Roll Call....

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

Item No. 33 Motion by Councilman Wegner, seconded by Councilman Swiatek

RESOLVED that Florence Walentynowicz, residing at Cheektowaga, New York, be and hereby is appointed Clerk to the Town Justice, at

Item No. 33 Cont'd.

an annual salary of \$13,615.00, effective January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 34 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that Florence Walentynowicz, residing at Cheektowaga, New York be and hereby is appointed Clerk to the Town Justice at an annual salary of \$13,555.00, effective as of January 1, 1980.

Upon Roll Call....

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

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

RESOLVED that Katherine Zydell, Cheektowaga, New York, and Evelyn Renzi, Cheektowaga, New York, be and are hereby appointed Police Matrons at an annual salary of \$4,860.00 each, to take effect as of January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 36 Motion by Councilman Burst, seconded by Councilman Rogowski

RESOLVED that Katherine Zydell, Cheektowaga, New York and Evelyn Renzi, Cheektowaga, New York, be and they are hereby appointed Police Matrons at an annual salary of \$4,800.00 each, to take effect on January 1, 1980.

Upon Roll Call....

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

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

RESOLVED that Joseph DiRosa be and hereby is appointed Mail Clerk at an annual salary of \$3,240.00, effective January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 38 Motion by Councilman Johnson, seconded by Councilman Rogowski

RESOLVED that Joseph DiRosa be and hereby is appointed Mail Clerk at an annual salary of \$3,200.00, effective January 1, 1980.

Item No. 38 Cont'd.

Upon Roll Call....

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

\*\*\*\*\*

\*Motion made by Councilman Johnson, seconded by Councilman Dux
to Waive the Rules to act on Item No. 54, Establishment of wage rates for non-
union, appointed personnel for the year 1979.

Upon Roll Call....

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

\*\*\*\*\*

\*Item No. 54 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the 1979 wage rates for the following non-union,
appointed personnel be established as follows:

- Sole Assessor - \$20,025.00 (retroactive to January 1, 1979)
Real Property Appraiser - \$18,590.00 (retroactive to January 1, 1979)
Working Foreman Sanitation - \$20,390.00 (retroactive to January 1, 1979)
Director of Personal Services - \$15,750.00 (retroactive to date of permanent hire)
Assistant Plumbing Inspector (part-time) - \$5.45/hour (retroactive to January 1, 1979)

and BE IT FURTHER RESOLVED that the resolution adopted by this Town Board on
December 17, 1979 establishing 1979 wage rates for non-union and appointed per-
sonnel, be amended to reflect an 8.6% salary increase for 1979 for the following
named individual; said increase shall be retroactive to January 1, 1979:

-----Director of Recreation----- - \$17,690.00-----

The above resolution was called for amendment by
Councilman Johnson, seconded by Councilman Dux and the vote on the amendment
was as follows:

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

and said amendment was adopted as follows:

Motion by Councilman Johnson, seconded by Councilman Dux

RESOLVED that the 1979 wage rates for the following non-union,
appointed personnel be established as follows:

- Sole Assessor - \$19,365.00 (retroactive to January 1, 1979)
Real Property Appraiser - \$17,970.00 (retroactive to January 1, 1979)

Item No. 54 Cont'd.

Working Foreman Sanitation - \$19,720.00  
(retroactive to January 1, 1979)

Assistant Plumbing Inspector - \$5.45/hour  
(part-time) (retroactive to January 1, 1979)

Upon Roll Call....

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

Item No. 39 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that Loris Durfee, of Cheektowaga, New York, be and hereby is appointed to the position of Assistant Plumbing Inspector, part-time, at a salary of \$5.90 per hour, effective immediately; said part-time employment shall not exceed 20 hours per week.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 40 Motion by Councilman Johnson, seconded by Councilman Dux

RESOLVED that Loris Durfee, Cheektowaga, New York, be and hereby is appointed to the position of Assistant Plumbing Inspector, part-time, at a salary of \$5.55 per hour, effective January 1, 1980, and BE IT FURTHER

RESOLVED that said part-time employment shall not exceed 20 hours per week.

-----

The above resolution was called for amendment by Councilman Johnson, seconded by Councilman Burst and the vote on the amendment was as follows:

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

and said amendment was adopted as follows:

Motion by Councilman Johnson, seconded by Councilman Burst

RESOLVED that Loris Durfee, Cheektowaga, New York, be and hereby is appointed to the position of Assistant Plumbing Inspector, part-time, at a salary of \$6.00 per hour, effective January 1, 1980, and BE IT FURTHER

RESOLVED that said part-time employment shall not exceed 20 hours per week.

Upon Roll Call....

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

\*Item No. 41 (See also Item Nos. 77 and 78).

Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that Edward J. Leak, residing at 9 Irondale Drive,

Item No. 41 Cont'd.

Depew, New York, be and hereby is re-appointed Director of Recreation for the Town of Cheektowaga, at an annual salary of \$19,605.00, effective January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 42 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that Andrew Schwenk, residing at Cheektowaga, New York, be and hereby is re-appointed Sole Assessor, in the Town of Cheektowaga at an annual salary of \$21,630.00, effective January 1, 1980.

-----  
The above resolution was called for amendment by Councilman Rogowski, seconded by Councilman Swiatek and the vote on the amendment was as follows:

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

and said amendment was adopted as follows:

Motion by Councilman Rogowski, seconded by Councilman Swiatek

RESOLVED that Andrew Schwenk, residing at Cheektowaga, New York, be and hereby is re-appointed Sole Assessor, in the Town of Cheektowaga, at an annual salary of \$21,350.00, effective January 1, 1980.

Upon Roll Call....

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

Item No. 43 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that Casimir Kozminski, residing at Depew, New York, be and hereby is re-appointed to the position of Real Property Appraiser for the Town of Cheektowaga, at an annual salary of \$20,080.00, effective January 1, 1980.

-----  
The above resolution was called for amendment by Councilman Rogowski, seconded by Councilman Dux and the vote on the amendment was as follows:

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

and said amendment was adopted as follows:

Motion by Councilman Rogowski, seconded by Councilman Dux

RESOLVED that Casimir Kozminski, residing at Depew, New York, be and hereby is re-appointed to the position of Real Property Appraiser for the Town of Cheektowaga, at an annual salary of \$19,855.00, effective January 1, 1980.

Item No. 43 Cont'd.

Upon Roll Call....

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

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that Ted Brayer, residing at  
Cheektowaga, New York, be and hereby is re-appointed to the position of  
Director of Personal Services in the Town of Cheektowaga, at an annual salary of  
\$17,010.00, effective January 1, 1980.

-----  
The above resolution was called for amendment by Councilman Burst,  
seconded by Councilman Johnson and the vote on the amendment was as follows:

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

and said amendment was adopted as follows:

Motion by Councilman Burst, seconded by Councilman Johnson

RESOLVED that Ted Brayer, residing at  
Cheektowaga, New York, be and hereby is re-appointed to the position of  
Director of Personal Services in the Town of Cheektowaga, at an annual salary  
of \$16,000.00, effective January 1, 1980.

Upon Roll Call....

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

Item No. 45 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that Jerome J. Gabryszak, residing at  
Cheektowaga, New York be and hereby is appointed Community Development  
Coordinator of the Town of Cheektowaga at an annual salary of \$17,200, effective  
as of January 1, 1980.

Upon Roll Call....

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

Item No. 46 Appointment of Working Foreman in the Sanitation Department.

Motion by Councilman Burst, seconded by Councilman Johnson  
to withdraw this item.

Item No. 47 Appointment of Bingo Inspector Chairman and Bingo Inspectors.

Motion by Councilman Rogowski, seconded by Councilman Dux  
to withdraw this item.

Item No. 48 Motion by Councilman Swiatek, seconded by Councilman Wegner

RESOLVED that the following individuals be hired to work for  
the Cheektowaga Youth Bureau with the titles and salaries for 1980 and thereby

Item No. 48 Cont'd.

be established as follows:

AS CLERKS IN THE ADMINISTRATIVE INTERN PROGRAM - A.7310.160 - at \$3.25 per hour

Denise J. DeSimone

Donna Ann Mika

Mary K. Donohue

Ellen M. Pacer

Maria Bova

PROGRAM DIRECTOR - SPECIAL SWIM PROGRAM AT THE RATE OF \$6.00 PER HOUR - A.7310.140

Joseph V. Daly

INSTRUCTOR/LIFEGUARD WITH W.S.I. - \$3.00 PER HOUR - WITHOUT W.S.I. - \$2.75 PER HOUR - A7310.140

Paul Czosek

Stephanie Michalski

Sharon Daly

Mike Potempa

William Krieger

Daniel Whitehead

Mary Lizak

Sandy Zygmunt

Deborah McGee

WORK EXPERIENCE PROGRAM - A.7310.162 - (Dog Kennel) @ \$2.90 PER HOUR

Mark J. Masse

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 49 Appointment of part-time Clerk-Typist in the Sanitation Department.  
Item Withdrawn.

Item No. 50 Advertise in accordance with Affirmative Action Plan for full-time  
and part-time employees.

Motion by Councilman Johnson, seconded by Councilman Dux  
to withdraw this item.

Item No. 51 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town Board retained the services of Ernest A. Holfoth,  
CPCU, ARM during the year 1979, and

WHEREAS, the Town Board is desirous of continuing the risk manage-  
ment services of this consultant during 1980, NOW, THEREFORE, BE IT

RESOLVED that Ernest A. Holfoth be retained for the 1980 year at  
a monthly fee of \$1,500.00 chargeable to General Fund Account No. A1910.451

Item No. 51 Cont'd.

Insurance Consultation.

Upon Roll Call....

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

Item No. 52 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town Board desires the services of a Certified Public Accounting Firm for services in the areas of:

Annual Audit, management letter, and Report thereon of the 1979 year

Preparation of 1979 NYS Annual Financial Report to Comptroller

Preparation of 1979 Summary Publication Annual Report

Preparation of mandated US Census Bureau Reports

Preparation of EEO-4 Annual Report

Preparation of 1981 Benefit Basis Budget

Preparation of 1981 Ad Valorem Budgets

Consultation to Town Accounting and Payroll Departments

Consultation to the Supervisor and Town Board on Special Matters, and

WHEREAS, the Town Board desires to retain the services of Percival G. Bixby and Co., CPA's for these services, NOW, THEREFORE, BE IT

RESOLVED that Percival G. Bixby & Company, CPA's be retained for the year 1980, at a monthly fee of \$2,879.67 chargeable to the accounting, budget and audit line items in the various General and Special District budgets.

Upon Roll Call....

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

Item No. 53 Hiring of Law Firm to assist Legal Department

Motion by Councilman Rogowski, seconded by Councilman Dux to withdraw this item.

\*Item No. 54 This item follows Item No. 38.

Item No. 55 Set salaries for Town Officials and employees for the year 1980.

Motion by Councilman Burst, seconded by Councilman Dux to withdraw this item.

Item No. 56 Motion by Councilman Johnson, seconded by Councilman Rogowski

BE IT RESOLVED that the Town Board shall hold work sessions every second Saturday of the month at 1:00 p.m. during the year 1980; said work sessions shall be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon Roll Call....

AYES: Councilmen Johnson, Dux, Rogowski and Burst  
NAYES: Supervisor Meyers, Councilmen Swiatek and Wegner  
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 10 day of Jan., 1920 and ending on the 10 day of Jan., 1920

Signed James Charters

Sworn to before me, on the 10  
day of Jan., 1920

Lillian A. Ansel  
Notary Public

LILLIAN A. ANSEL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1921

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 January, 1980, 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 William P. Rogowski, Councilman James R. Burst, Councilman Donald J. Wegner.

ABSENT: 0

Motion by Councilman Johnson, Seconded by Councilman Rogowski.

BE IT RESOLVED that the Town Board shall hold work sessions every second Saturday of the month at 1:00 p.m. during the year 1980; said work sessions shall be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon roll call .....  
Supervisor Meyers, Voting NAYE; Councilman Swiatek, Voting NAYE; Councilman Johnson, Voting AYE; Councilman Dux, Voting AYE; Councilman Rogowski, Voting AYE; Councilman Burst, Voting AYE; Councilman Wegner, Voting NAYE.

AYES: 4  
NAYES: 3  
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 January 2nd 1980, 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. 56, 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 January, 1980.

RICHARD M. MOLESKI  
Town Clerk

PROOF OF PUBLICATION

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of

Am I

Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 2nd day of January, 1980 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 William P. Rogowski Councilman James R. Burst Councilman Donald J. Wegner

ABSENT: 0 Motion by Councilman Johnson, seconded by Councilman Rogowski.

BE IT RESOLVED that the Town Board shall hold work sessions every second Saturday of the month at 1:00 P.M. during the year 1980; said work sessions shall be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon roll call - Supervisor Meyers Voting NAYE Councilman Swiatek Voting NAYE Councilman Johnson Voting AYE Councilman Dux Voting AYE Councilman Rogowski Voting AYE Councilman Burst Voting AYE Councilman Wegner Voting NAYE AYES: 4 NAYES: 3 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 January 2nd, 1980, 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. 56, 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 January, 1980.

(SEAL) Richard M. Moleski Town Clerk Jan. 10

Publications Inc.

Publishers Of:

the Bee Clarence Bee Lancaster Enterprise 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

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 Jan.

1980, and the last insertion being on the same

day of , 19.

Subscribed and sworn to before me this 10th day

of Jan., 19 80

Susan Schasel Susan Schasel

Notary Public in and for Erie County

George J. Measer

SUSAN SCHASEL

Notary Public, State of New York

Qualified in Erie County

My Commission Expires March 30, 1981

Item No. 57 Motion by Councilman Dux, seconded by Councilman Burst

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 during the year 1980 at 7:00 P.M.; to be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon Roll Call....

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

AFFIDAVITS-NEXT PAGE

PROOF OF PUBLICATION

St

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 January, 1980 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 William P. Rogowski Councilman James R. Burst Councilman Donald J. Wegner

ABSENT: 0 Motion by Councilman Dux, seconded by Councilman Burst,

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 during the year 1980 at 7:00 P.M. to be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon roll call -

Supervisor Meyers Voting AYE Councilman Swiatek Voting AYE Councilman Johnson Voting AYE Councilman Dux Voting AYE Councilman Rogowski 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 January 2nd 1980, 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. 57, 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 January, 1980.

(SEAL) Richard M. Moleski Town Clerk Jan. 10

Publications Inc.

Publishers Of:

Amherst

Bee Clarence Bee Lancaster Enterprise and Cheektowaga Bee

5564 MAIN STREET, LIAMSVILLE, 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

public newspaper published at

Williamsville

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 Jan.

1980, and the last insertion being on the same

day of , 19.

Subscribed and sworn to before me this 10th day

of Jan., 19 80

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

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 10 day of Jan, 1980 and ending on the 10 day of Jan, 1980  
(ER)

Signed James Charters  
Sworn to before me, on the 10  
day of Jan, 1980  
Lillian A. Ansel  
Notary Public

**LILLIAN A. ANSEL**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

EXTRACTS FROM  
MINUTES OF  
CHECKTOWAGA  
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 January, 1980, 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 William P. Rogowski, Councilman James R. Burst, Councilman Donald J. Wegner.

ABSENT: 0

Motion by Councilman Dux, Seconded by Councilman Burst.

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 during the year 1980 at 7:00 P.M.; to be held in the Council Chambers, Town Hall, Cheektowaga, New York.

Upon roll call .....  
Supervisor Meyers, Voting AYE; Councilman Swiatek, Voting AYE; Councilman Johnson, Voting AYE; Councilman Dux, Voting AYE; Councilman Rogowski, 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 January 2nd 1980, 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. 57, 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 January, 1980.

RICHARD M. MOLESKI  
Town Clerk

Item No. 58 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that the following rules of procedure be and hereby are adopted by the Town Board:

- 1.) All resolutions and other items of business must be filed in writing with the Town Clerk no later than noon of each Thursday preceding the regular Town Board meetings which are to be held on the first and third Mondays of the month.
- 2.) Each resolution must contain the name of a sponsor at the time of filing. Prior to a resolution being considered by the Board it must be moved and seconded. The individual who seconds the resolution shall have the privilege of speaking first upon the subject matter immediately after the sponsor. After the sponsor and the person who seconds the resolution have been given the privilege of speaking thereon, any other member of the Board who so desires will be recognized and allowed to speak prior to the vote being taken on said resolution.
- 3.) Two votes are needed for the first tabling of a resolution which may then be acted upon at the next regular Town Board meeting. Any further tabling of a resolution after a first tabling must have a majority vote of all the Town Board members present. A motion to suspend the rules for considering a resolution may be defeated by a single nay vote. In addition to the foregoing, Roberts Rules of Order shall be used to govern the procedures of the Town Board.

Upon Roll Call....

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

Item No. 59 Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the following banking institutions be named official Town depositors for the following demand and savings funds as indicated:

Marine Trust Company (Cheektowaga Office)

Payroll  
Federal Revenue Sharing Fund  
Highway Fund

Manufacturers and Traders Trust Company (Airport Plaza Branch)

Debt Service Fund  
General Fund  
Special Districts  
Chapel Book Fund

Bank of New York (Como Mall & Union Rd.)

Trust and Agency Fund  
HUD-NPP

Liberty National Bank and Trust Company (Harlem Rd. Office)

Special Assessment

Chase Manhattan (Depew Office)

EDA Accounts  
Capital  
Part Town Fund

Manufacturers Hanover Trust Com. (Depew Office)

HUD-CDBG

Upon Roll Call....

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



Item No. 60 Motion by Councilman Rogowski, seconded by Councilman Dux

RESOLVED that the following Town Officers, pursuant to Section 25 of the Town Law, shall furnish an official undertaking in the sums so specified, on which undertaking the surety shall be a surety company authorized to do business in the State of New York and to issue such undertakings, the same to be submitted promptly to this Town Board for its approval:

Supervisor	\$300,000
Town Clerk	\$ 50,000
Superintendent of Highways	\$ 50,000
Receiver of Taxes	\$ 50,000
Justice of Peace (2) each	\$ 25,000
Library Board Chairman	\$ 5,000
Library Board Secretary	\$ 5,000

-----  
The above resolution was called for amendment by Councilman Johnson, seconded by Supervisor Meyers and the vote on the amendment was as follows:

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

and said amendment was adopted as follows:

Motion by Councilman Johnson, seconded by Supervisor Meyers

RESOLVED that the following Town Officers, pursuant to Section 25 of the Town Law, shall furnish an official undertaking in the sums so specified, on which undertaking the surety shall be a surety company authorized to do business in the State of New York and to issue such undertakings, the same to be submitted promptly to this Town Board for its approval:

Supervisor	\$300,000
Deputy Supervisor	\$300,000
Town Clerk	\$ 50,000
Superintendent of Highways	\$ 50,000
Receiver of Taxes	\$ 50,000
Justice of Peace (2) each	\$ 25,000
Library Board Chairman	\$ 5,000
Library Board Secretary	\$ 5,000

Upon Roll Call....

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

Item No. 61 Motion by Councilman Burst, seconded by Councilman Johnson

RESOLUTION COVERING FACSIMILE SIGNATURE

RESOLVED that the Marine Trust Company (Cheektowaga Office), Liberty National Bank and Trust Company (Harlem Road Office), Bank of New York (Cheektowaga

Item No. 61 Cont'd.

Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), Manufacturers and Traders Trust Company (Airport Plaza Office), and Manufacturers Hanover Trust Company Western, N.A. (Depew Office), as designated depositories of the Town of Cheektowaga, be and they hereby are requested, authorized and directed to honor checks, notes, and other instruments for the payment of money against Town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Kenneth J. Meyers, Supervisor ----

and the Marine Trust Company (Cheektowaga Office), Liberty National Bank and Trust Company (Harlem Road Office), Bank of New York (Cheektowaga Office), Chase Manhattan Bank of Western New York, N.A. (Depew Office), Manufacturers Hanover Trust Company Western, N.A. (Depew Office), and Manufacturers and Traders Trust Company (Airport Plaza Office), shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes, and other instruments, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen or specimens duly certified to or filed with the said banks by the Supervisor, the Town Clerk or other officer of the Town of Cheektowaga.

Upon Roll Call....

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

Item No. 62 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a "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 "Mechanic" in the Central Garage be and hereby is created.

Upon Roll Call....

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

Item No. 63 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a "Mechanics Helper" 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 "Mechanics Helper" in the Central Garage be and hereby is created.

Upon Roll Call....

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

Item No. 64 Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, the Cheektowaga Youth Bureau has been selected as a Youth Community Conservation and Improvement Project grant recipient, and

Item No. 64 Cont'd.

WHEREAS, the Department of Labor, through the Erie County Consortium has agreed to tentatively pay \$111,440.00 to operate said program, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to sign the forthcoming agreement with the New York State Department of Labor to operate said project.

Upon Roll Call....

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

Item No. 65 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Paul M. Robshaw has made application and requested the rezoning of property located at 3507 Union Road, Cheektowaga, New York from R-Residential District to RC-Restricted 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 January 21, 1980 at 6:30 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, Rogowski,  
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, 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 10 day of Jan, 1980, and ending on the 10 day of Jan, 1980

Signed James Charters  
Sworn to before me, on the 10  
day of Jan, 1980

Lillian A. Ansel  
Notary Public

**LILLIAN A. ANSEL**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 21st day of January, 1980, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Paul M. Robshaw to Rezone from R-Residential District to RC-Restricted Business District on property located at 3507 Union Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed; thence southerly along the westerly line of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line of lands so conveyed 300 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 300 feet to the point or place of beginning.

EXCEPTING therefrom the following described

premises: 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 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line so conveyed 200 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 200 feet to the point or place of beginning.

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

BY ORDER OF  
THE TOWN BOARD

Supervisor Kenneth J. Meyers  
Councilman Frank E. Swiatek  
Councilman Donald J. Wegner  
Councilman Thomas M. Johnson, Jr.  
Councilman Frank J. Dux  
Councilman William P. Rogowski  
Councilman James R. Burst

RICHARD M. MOLESKI  
Town Clerk

Item No. 66 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Athletic White Stripe for the year, 1980, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of said Athletic White Stripe, and BE IT FURTHER

RESOLVED that the specifications for said Athletic White Stripe be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department at the Cheektowaga Recreation Center, 2600 Harlem Road, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time for the purpose of receiving sealed bids 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 the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time at Town Hall, Broadway and Union Road for the furnishing of Athletic White Stripe for the year, 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the interest of the Town of Cheektowaga, 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: January 2, 1980

\* \* \* \* \*

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Rogowski,  
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

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 Jan.,

1980, and the last insertion being on the same

day of , 19.

NOTICE TO BIDDERS

Sealed Proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time at Town Hall, Broadway and Union Road for the furnishing of Athletic White Stripes for the year, 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in Town Hall.

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

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

Richard M. Meleski  
Town Clerk

Dated: Jan. 2, 1980

Jan. 10

Subscribed and sworn to before me this 10th day

of Jan., 19 80

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. 67 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Pool Maintenance Chemicals for the year, 1980, NOW THEREFORE BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of said Pool Maintenance Chemicals, and BE IT FURTHER

RESOLVED that the Specifications for said Pool Maintenance Chemicals be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department at the Cheektowaga Recreation Center, 2600 Harlem Road, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 21st day of January, 1980 at 7:00 P.M., Eastern Standard Time for the purpose of receiving sealed bids 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 the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time at Town Hall, Broadway and Union Road for the furnishing of Pool Maintenance Chemicals for the year, 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town of Cheektowaga, 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: January 2, 1980

\* \* \* \* \*

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Rogowski,  
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 th  
..... Publisher ..... of th  
..... Cheektowaga Bee .....  
public newspaper published at .....  
..... Williamsville ..... , New York, that th  
notice of which the annexed printed slip taken fro  
said newspaper, is a copy, was inserted and publishe  
therein once a week for ..... 1 ..... weeks, the fir  
insertion being on the ... 10th day of ... Jan. ....  
19...80., and the last insertion being on the same...  
day of ....., 19..... .

**NOTICE TO BIDDERS**  
Sealed Proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time at Town Hall, Broadway and Union Road for the furnishing of Pool Maintenance Chemicals for the fiscal year, 1980.  
Information for Bidders and Specifications may be obtained from the Town Clerk at his office in Town Hall.  
The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the Specifications and contract documents, and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, 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: Jan. 2, 1980  
Jan. 10

Subscribed and sworn to before me this 10th day

of Jan. , 19 80

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. 68 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, the Leasing and Servicing of Portable Chemical Toilets, NOW THEREFORE BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Leasing and Servicing of Portable Chemical Toilets, and BE IT FURTHER

RESOLVED that the specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department at the Cheektowaga Recreation Center, 2600 Harlem Road, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 21st day of January, 1980 at 7:00 P.M., Eastern Standard Time for the purpose of receiving sealed bids 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 the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time at the Town Hall, Broadway and Union Road, for the Leasing and Servicing of Portable Chemical Toilets for the year, 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in the Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town of Cheektowaga, 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: January 2, 1980

\* \* \* \* \*

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Rogowski,  
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.....,  
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 ..Jan.....  
19..80., and the last insertion being on the same...  
day of ....., 19......

NOTICE TO BIDDERS

Sealed Proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 21st day of January, 1980 at 7:00 P.M. Eastern Standard Time at the Town

Hall, Broadway and Union Road, for the Leasing and Servicing of Portable Chemical Toilets for the year 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in the Town Hall.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the Specifications and Contract Documents and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, 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: Jan. 2, 1980

Jan. 10

Subscribed and sworn to before me this 10th day

of Jan., 19 80

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.

\* \* \* \* \*

Motion by Councilman Swiatek, seconded by Supervisor Meyers to Waive the Rules to include the following resolutions (Item Nos. 69 through 78).

Upon Roll Call....

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

\* \* \* \* \*

III. SUSPENSION OF RULES

Item No. 69 Town Official Sureties.  
Item Withdrawn.

Item No. 70 Resolution covering Supervisor's Facsimile Signature.  
Item Withdrawn.

Item No. 71 Decision on Special Permit - Dale Road opposite Anderson Road.

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Underwriters Salvage Corporation has applied for a Special Permit for the storing of junk vehicles on property located at Dale Road opposite Anderson Road, Cheektowaga, New York pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga; said property being further described as follows:

Proposed lot has a frontage on Dale Road of 225 feet, a Westerly line of approximately 789.83 feet, Easterly line of 565.78 feet and a Southern rear line of 314.89 feet,

and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 19th day of November, 1979, at 6:30 o'clock P.M. Eastern Standard Time of said day for the purpose of considering said application for a Special Permit, and

WHEREAS, there were objections to the issuance of said Special Permit for the storing of junk vehicles on property located at Dale Road opposite Anderson Road, Cheektowaga, New York, NOW, THEREFORE, BE IT

RESOLVED that said Special Permit be and hereby is denied.

Upon Roll Call....

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

Item No. 72 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Emil E. Wieszala has applied for a rezoning from C-Retail Business to CM-General Commercial District on property located at 756 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, distinguished as being part of Lot No. 96, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

COMMENCING in the south line of said Lot No. 96 at a dis-

Item No. 72 Cont'd.

tance of four (4) chains and thirty-six (36) links east from the southwest corner thereof; thence north and parallel with the west line of said Lot No. 96, two hundred eighty-one (281) feet; thence east and parallel with the south line of said Lot No. 96, one hundred (100) feet; thence south and parallel with the west line of said Lot No. 96, two hundred eighty-one (281) feet to the south line of said lot; thence west along the south line of said Lot No. 96, one hundred feet to the point or 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 5th day of November, 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 Cheektowaga Planning Commission and the Erie County Division of Planning have both recommended denial of this application, and

WHEREAS, the said proposed rezoning may be detrimental to the surrounding properties because of all the allowable uses in the CM District, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from C-Retail Business to CM-General Commercial District, be and is hereby denied.

Upon Roll Call....

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

Item No. 73 Request permit from County of Erie re: Prohibition of parking on certain portions of George Urban Blvd.

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is interested in adopting an amendment to the Traffic Ordinance prohibiting the parking of vehicles as follows:

No parking here to corner

GEORGE URBAN BLVD. South side from the west curb line of HARLEM ROAD to a point 120 feet therefrom

GEORGE URBAN BLVD. North side from the west curb line of HARLEM ROAD to a point 85 feet therefrom

and,

WHEREAS, George Urban Boulevard is a County road and it is necessary to obtain a permit from the County of Erie, Department of Public Works, Highway Division, covering those highways which are county roads, now, therefore, BE IT

RESOLVED that a permit is hereby requested from the County of Erie in regards to the prohibition of parking on certain portions of George Urban Boulevard, and BE IT FURTHER

RESOLVED that the Supervisor be and is hereby authorized to execute a permit issued by the County of Erie, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to the County of Erie, Department of Public Works, Highway Division.

Item No. 73 Cont'd.

Upon Roll Call....

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

Item No. 74 Call for public hearing to amend Traffic Ordinance - Art. VIII:
"Stop & Yield Intersections" (Central Blvd., Old Stone Rd., Marywood Dr.);
Art. X: "Parking, Standing, Stopping" (Woodside Ln., Riffel Terrace).

Motion by Councilman Wegner, seconded by Supervisor Meyers

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 January, 1980 at 7:00 P.M., Eastern Standard
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 10th day of January, 1980; said amendment
being set forth in the Notice of Hearing.

\* \* \* \* \*

N O T I C E O F H E A R I N G

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 January, 1980 at
7:00 o'clock P.M., Eastern Standard 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 VIII

Stop and Yield Intersections

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

The following intersections are designated as stop intersections
and stop signs shall be erected on the following entrance streets.

Table with 5 columns: Street, Direction, Entrance Street, Traffic Stops, Sign Location. Rows list intersections like Central Blvd. and Marywood Drive.

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations is amended by adding
thereto the following:

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

Item No. 74 Cont'd.

A. No parking this side or one-side parking

WOODSIDE LANE            South side            from the west curb line of BORDEN ROAD to  
the start of the cul-de-sac

RIFFEL TERRACE           East side            from the south curb line of SO. TRANSITHILL  
DRIVE to the terminus

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

\_\_\_\_\_  
RICHARD M. MOLESKI  
TOWN CLERK

DATED: January 2, 1980

\* \* \* \* \*

Upon Roll Call.....

AYES:            Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Rogowski,  
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 10 day of Jan., 1980, and ending on the 10 day of Jan., 1980

Signed James Charters  
Sworn to before me, on the 10  
day of Jan., 1980.

Lillian A. Ansel  
Notary Public

LILLIAN A. ANSEL  
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 21st day of January, 1980 at 7:00 o'clock P.M., Eastern Standard 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 VIII

Stop and Yield Intersections

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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets.

Street: CENTRAL BLVD.  
Direction: East-West,  
Entrance Street: KILBOURNE ROAD, Traffic  
Stops: Southbound, Sign  
Location: N.W. Corner.

Street: CENTRAL AVE.,  
Direction: East-West,  
Entrance Street: EASTLAND PKWY., Traffic  
Stops: Southbound. Sign  
Location: N.W. Corner.

Street: CENTRAL BLVD.  
Direction: East-West,  
Entrance Street: EAST GRAND BLVD., Traffic  
Stops: Southbound, Sign  
Location: N.W. Corner.

Street: CENTRAL BLVD.  
Direction: East-West,  
Entrance Street: WEST GRAND BLVD., Traffic  
Stops: Southbound, Sign  
Location: N.W. Corner.

Street: CENTRAL BLVD.  
Direction: East-West,  
Entrance Street: MIDLAND DRIVE, Traffic  
Stops: Southbound, Sign  
Location: N.W. Corner.

Street: OLD STONE ROAD,  
Direction: East-West,  
Entrance Street: MARYWOOD DRIVE, Traffic  
Stops: Southbound, Sign  
Location: N.W. Corner.

Street: MARYWOOD DRIVE,  
Direction: North-South,  
Entrance Street: ELY ROAD, Traffic  
Stops: Westbound, Sign  
Location: N.E. Corner.

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations 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

WOODSIDE LAND, South side, from the west curb line of BORDEN ROAD to the start of the cul-de-sac

RIFFEL TERRACE, East side, from the south curb line of SO. TRANSITHILL DRIVE to the terminus

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTO-WAGA, ERIE COUNTY, NEW YORK.

RICHARD M. MOLESKI  
Town Clerk

Item No. 75 Reduction of membership from the Cheektowaga Traffic Safety Commission.  
Item Withdrawn.

Item No. 76 Appointment and set salary of Facility Department Director.  
Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that James J. Matecki, residing at Cheektowaga, New York, be and hereby is re-appointed Facility Department Director at an annual salary of \$23,220.00, effective as of January 1, 1980.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

\*Item No. 77 Rescind resolution of 1/2/80 (Item No. 41) re: Appointment of Recreation Director.

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, under the waiver of rules Councilman Swiatek sponsored a resolution, seconded by Supervisor Meyers to rescind a prior resolution listed as Item No. 41 on the agenda for the January 2, 1980 Town Board meeting, entitled "Appointment of Director of Recreation", NOW, THEREFORE, BE IT

RESOLVED that said resolution be and hereby is rescinded, and the vote to rescind the resolution is as follows:

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

\*Item No. 78 Set salary of Director of Recreation (See Item Nos. 41 and 77).

Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that the annual salary of Edward J. Leak, residing at Depew, New York, Director of Recreation of the Town of Cheektowaga be and hereby is established at \$19,605.00, effective January 1, 1980.

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek and Wegner

NAYES: Councilmen Johnson, Dux, Rogowski and Burst

ABSENT: 0

RESOLUTION DENIED!

Item No. 79 Motion by Councilman Swiatek, seconded by Councilman Wegner to Adjourn the Meeting.

RICHARD M. MOLESKI  
TOWN CLERK

*Handwritten initials*

Minutes of Reorganizational Meeting Number 1  
(Items 5, 46, 50 and 53) held before the Cheektowaga  
Town Board at the Town Hall, corner of Broadway and  
Union Road, Cheektowaga, New York, on Wednesday,  
January 2, 1980, commencing at 7:00 o'clock, p.m.

PRESENT:

CHEEKTOWAGA TOWN BOARD:

- SUPERVISOR KENNETH J. MEYERS
- COUNCILMAN FRANK E. SWIATEK
- COUNCILMAN THOMAS M. JOHNSON, JR.
- COUNCILMAN FRANK J. DUX
- COUNCILMAN JAMES R. BURST
- COUNCILMAN DONALD J. WEGNER
- COUNCILMAN WILLIAM P. ROGOWSKI

JOHN V. ROGOWSKI, ESQ.,  
Town Attorney, and ROBERT MILLER, ESQ.,  
Deputy Town Attorney.

RICHARD MOLESKI, Town Clerk.

\* \* \* \* \*

SUPERVISOR MEYERS:

Call the Town Board to order.  
Would you stand for the Pledge  
of Allegiance to the Flag.

(Whereupon, the Pledge of Allegiance  
was said.)

SUPERVISOR MEYERS:

Before we start the agenda and  
the meeting, I would just like a  
few opening remarks. As we enter

a new decade of 1980, we see a lot in the papers about how government is trying to address itself to the future problems that face not only the Town of Cheektowaga, but the nation itself. We started off in 1976 and we were faced with very difficult months of politics where politics became a top priority as opposed to the general practice of serving the public and placing the people first. In a sign of good faith, I would like to see that this Board set politics aside. I sat on that Board during that period of time; it was a very difficult period of time, and more time was spent on politically maneuvering resolutions and press releases than it was addressing Town business. We've all taken an oath, some of us taken an oath of office to serve the people to the best interest of the people. And I'd like us to keep that in mind and I'll expect myself to do the very same thing. So in order to show a sign of good faith, there was some concern about the double agendas and, at this point, I'll waive and withdraw my objection to acting on the agenda even though I know that a lot of the resolutions were filed beyond noon on Friday. We had a Town Board meeting on December 17th; we set a noon cut-off date for resolutions being filed in the Clerk's office. I feel that was violated. We've done it in the past, but not to split hairs, and so we can really serve the public, I have no objection to acting on the full agenda that lists all the resolutions that were filed before 12:00 o'clock and some of the resolutions that were filed after 12:00 o'clock. So with that, Mr. Clerk, let's move - -

COUNCILMAN JOHNSON: Are you restricting opening remarks to yourself, Supervisor?

SUPERVISOR MEYERS: No. You have something to say?

COUNCILMAN JOHNSON: Simply that. We were concerned, of course, those who filed resolutions with the clerk in the Council office last Friday were concerned that there was an attempt to obstruct the activities of the Town

Board in raising an objection that had never been raised before and, in fact, we - - you know, I had been advised by the Town Attorney that such objection would be raised and, in fact, this is why we met with the Town Clerk, we showed him our handwritten resolutions because, lo and behold, we had no secretarial staff and we told him it would take us a while to get them typed and he said, "All right, I see what you've got and," he said, - - he told us that he can't provide us with a clerical staff, but he would permit us to allow our administrative assistant to complete the typing of the resolutions. At all times, we considered them to have been filed with the clerk himself. We've maintained that position. There was a difference of opinion over that. I have not, you know - - basically, you know, any advisement that I've sought has pretty much said that this was a grey area and clearly we made every effort and had every intent to file the resolutions and we did. It's our opinion that we made the effort to file them with the Town Clerk and to raise the question at the opening stages of the propriety of these resolutions I think needs to be answered. That's basically my only comment.

COUNCILMAN ROGOWSKI: Tom, I think we ought to take a look at Item 58 because you yourself are re-enforcing that same intent. You're asking that all resolutions be filed on Thursday before the Town Board meeting at 12:00 noon. I think it's something we ought to be doing, giving people an opportunity to pick up the resolutions and study them. I think we should make every effort to do that in the future.

COUNCILMAN BURST: I think we've all violated that in the past. We've reserved spots on the agenda prior to the dates and specified time, but the resolutions in some cases were not turned in until we walked into the Town Board meeting on Monday night.

COUNCILMAN WEGNER: I talked to the Town Clerk along with the rest of them upstairs too. I would like a good two days, at

least to review an agenda in case I have some research to do or some questions. Can't do it on Saturday or Sunday. So that if these resolutions are indeed filed by noon on Thursday, it was told to me that we could have them on our desk at least by Thursday evening, so that when I come in Thursday, I have all day Friday and Monday to research them and I'd like to adhere strictly to this rule.

COUNCILMAN ROGOWSKI: Mr. Supervisor, just to adhere to the point here, our Counselor Rogowski, I overheard him speaking to Councilman Dux saying that in his opinion, from the opinion he received from Mr. Morris at the state level, that it was his opinion that we were proper in filing when we did and the manner in which we had done.

MR. ROGOWSKI: Mr. Morris did call back and at least a different change of tone, the situation at least - -

MR. BECKER: Use the microphone, please.

MR. ROGOWSKI: Filing written resolutions with the Town Clerk's office by noon Thursday before every meeting.

SUPERVISOR MEYERS: We're not going to continue the argument. I just want to say that I talked to the gentleman from Albany also. The point I'm trying to make, all the resolutions that we passed and acted upon before a 12:00 o'clock deadline, I would say to my best knowledge was always passed 7 and 0. There was never a controversial question that came up. So we really don't have a past practice of adopting controversial resolutions.

So some of the resolutions filed after 12:00 o'clock would be controversial and wouldn't be 7 and 0 votes, but let's proceed with the business part of the agenda - -

COUNCILMAN JOHNSON: I hope it's very clear that - -

(Audience interruption.)

COUNCILMAN JOHNSON: I just hope it's very clear that we presented resolutions in writing to the Town Clerk and that the Town Clerk permitted us to have them typed in our office for lack of a typist and I want it very clear also, in checking for legal opinion, we checked immediately with Mr. Rogowski on Friday. He has subsequently checked with Albany and that we had proceeded properly. That was our intent from the beginning, that the only thing that was done was that the right of Board members here to have items on the agenda was held in question at the same time that the Town Clerk accepted these items and the Town Clerk has always accepted a filed list of the resolutions which he received from us well in advance of noon and has always accepted that list with the final typing from all offices including the Supervisor's office, often a day or so after the fact and - -

SUPERVISOR MEYERS: That's still the argument. You've got your position and I've got my position.

COUNCILMAN ROGOWSKI: Let's abide by our own resolutions.

COUNCILMAN BURST: Before we start our Town Board meeting, I would like to welcome Councilman Rogowski to the Town Board.

(Applause)

(Whereupon, Items 1 through 4 were heard.)

\* \* \* \* \*

ITEM NO. 5: Appointment of Town Attorney and First Deputy Town Attorney.

MR. ROGOWSKI: When I looked at the final agenda for this evening, we find that there's an appointment of Town Attorney as Item Number 4, appointment of Town Attorney and First Deputy Town Attorney as Item 5. The second resolution is coupled, it's one resolution. I find nothing on the agenda, gentlemen, indicating that we're vacating the office of the First Deputy Town Attorney, that, therefore, there's no vacancy in the office of the First Deputy Town Attorney. Therefore, we cannot act on the second part of Item Number 5. So that the procedure that can be followed - - first of all, you have to keep in mind 5 can't be passed as it is. It can be a separation of a question if so desired and leave out the first Deputy Town Attorney because there's no vacancy. Nor can a vacancy be established unless there is a waiver of the rules and some affirmative action could be taken in that direction and I don't think that's anyone's intention that tonight - -



COUNCILMAN JOHNSON: Are we on Item 5 or you want to take them one by one?

MR. ROGOWSKI: What I'm saying, I want to prevent the problem by saying that, for example, we didn't vote for Number 4. If you want to vote for Number 5, the end result would be the very, very same because we cannot vote on the second part of Number 5. If there had been a resolution, for example, let's say, appointing a first deputy town attorney other than the one that was listed here and defeated or if some action was taken to eliminate the person from that position, however, we do have a first deputy town attorney and he's acting as such and he's a holdover. His job continues unless there's a vacancy. But for tonight's purposes, all I'm saying, gentlemen, is it's up to the Board's determination whether you want to switch these two around or take a vote on it. But we cannot vote on Number 5 in the manner that's listed because there's no vacancy for the first deputy town attorney which you want two deputy town attorneys.

COUNCILMAN JOHNSON: I understand, Counselor. The point is, let's take four and then let's take five and we'll see where we are at at that point.

MR. ROGOWSKI: All right.

SUPERVISOR MEYERS: The purpose was to draw your attention to the conflict.

COUNCILMAN JOHNSON: I was aware of it. Number 4, please.

(Discussion off the record.)

SUPERVISOR MEYERS: Item 5, please.

MR. MOLESKI: Item 5 - -

COUNCILMAN JOHNSON: I move to withdraw that resolution. My second is Councilman Dux.

COUNCILMAN DUX: I so agree.

UNIDENTIFIED PERSON: He talks for him.

SUPERVISOR MEYERS: Item 6, please.

(Whereupon, Items 6 through 45 were heard.)

\* \* \* \* \*

ITEM NO. 46: Appointment of working foreman in the Sanitation Department.

MR. MOLESKI: Item 46, appointment of working

foreman in the Sanitation Department. Moved by Councilman Burst, seconded by Councilman Johnson. "Be it resolved that Florian Matchrzycki, residing at , Cheektowaga, New York be and hereby is appointed to the position of Working Foreman in the Sanitation Department at an annual salary of \$20,000, effective as of January 1, 1980."

COUNCILMAN BURST: I'd like to move the following amendment to that resolution. "Be it resolved that Ronald Zoeller be and hereby is terminated from the position of Working Foreman in the Sanitation Department and be it further resolved that Florian Matchrzycki, residing at Cheektowaga, New York be and hereby is appointed to the position of Working Foreman in the Sanitation Department at an annual salary of \$20,000, effective as of January 1, 1980."

COUNCILMAN JOHNSON: I'll second that amendment.

SUPERVISOR MEYERS: I move to table the amendment.

COUNCILMAN BURST: We have to vote on the amendment first.

MRS. MAYER: What's the reason for firing?

SUPERVISOR MEYERS: Let's see if we can table. Move on 47 and we'll come back.

(Whereupon, Items 47 through 49 were heard.)

\* \* \* \* \*

ITEM NO. 50: Advertise in accordance with Affirmative Action plan for full-time and part-time employees.

MR. MOLESKI: Item Number 50, advertise in accordance with affirmative action plan for full-time and part-time employees, moved by Councilman Johnson, seconded by Councilman Dux. "Be it resolved that the Town Clerk of the Town of Cheektowaga and Diane Farugia, EEO Coordinator for the Town of Cheektowaga, be and hereby are authorized to place advertisements in the Cheektowaga Times and the Buffalo Criterion at the earliest possible publishing date for the following town positions: Deputy Town Attorney, Bingo Inspector, various part-time clerical positions."

COUNCILMAN JOHNSON: I'd like to move the following amendments. This is possibly language adjustments. Third line, in place of "authorized", "directed." Following "Town positions," "and in accordance with the Town's adopted Affirmative Action Plan," I believe it's "Deputy Town Attorney and Bingo Inspectors."

MR. MOLESKI: You have those in writing for me, Tom?

SUPERVISOR MEYERS: You want plural on those?

COUNCILMAN JOHNSON: It's undetermined.

MR. MOLESKI: Who seconding that?

COUNCILMAN DUX: I'll second that, Tom.

SUPERVISOR MEYERS: On the question, now, what you're putting, "Deputy Town Attorneys"?

COUNCILMAN JOHNSON: "Attorney."

SUPERVISOR MEYERS: You got "Deputy Town Attorney," that's what it is.

COUNCILMAN WEGNER: He's putting "Bingo Inspectors" as plural.

COUNCILMAN SWIATEK: Is this a new position?

SUPERVISOR MEYERS: What's the attorney's post? Deputy Town Attorney?

COUNCILMAN JOHNSON: Yes.

SUPERVISOR MEYERS: That's what it is, so there's no - -

COUNCILMAN JOHNSON: I added "s" to "Bingo Inspector."

COUNCILMAN SWIATEK: What about "Deputy Town Attorney"? Is there a vacancy in that department? It's a new position

that the Board is creating?

COUNCILMAN ROGOWSKI: Frank, I think this particular resolution is out of order.

COUNCILMAN JOHNSON: Yes, it is. I want to get the amendment to the resolution - -

MR. MOLESKI: Item 50, moved by Councilman Johnson, seconded by Councilman Dux to amend the resolution to read: "Be it resolved that the Town Clerk of the Town of Cheektowaga and Diane Farugia, EEO Coordinator for the Town of Cheektowaga, be and hereby are directed to place advertisements in the Cheektowaga Times and the Buffalo Criterion at the earliest possible publishing date for the following Town positions and in accordance with the Town's adopted Affirmative Action Plan, namely, Deputy Town Attorney, Bingo Inspectors and various part-time clerical positions." Is that so?

COUNCILMAN JOHNSON: Yes.

SUPERVISOR MEYERS: On the question of - - Mr. Rogowski, I question the validity of the resolution and that's the reason for the court stenographer here tonight. It was brought up at the last meeting that when there is a proper advertisement made, we can get into a problem and our affirmative action can end up with another criticism that we advertise for these jobs when no vacancy exists. We're attempting to advertise for positions that there's no vacancies for. Now, I know of the death of a Bingo Inspector, so I know of one vacancy for Bingo Inspector. I know of no vacancy for Deputy Town Attorneys. So I tried to protect the Town from possible charges again from the Office of Revenue Sharing and possibly a forfeit

of some funds. I think we'll go on record so that I don't want to be in a position of answering a charge and answering a criticism when I'm not prepared to do that and I don't want to be part and parcel of the Town forfeiting any funds in the future. I would like to ask of these positions, how can we act on Deputy Town Attorney, when there's no vacancies?

COUNCILMAN JOHNSON: If I may respond - -

MR. ROGOWSKI: If there's no vacancy, you can't. If there is, I would like Mr. Johnson to let me know.

COUNCILMAN JOHNSON: It's Deputy Town Attorney and Bingo Inspectors with an "s". I wanted to get the amended language.

MR. ROGOWSKI: Which one?

COUNCILMAN JOHNSON: This resolution. And with respect to the subject matter, I think that that can be clarified later on the agenda, but I would entertain a tabling of the amended resolution, but let's proceed to amend the resolution so this language is corrected.

MR. ROGOWSKI: First of all, you can't act on a resolution even if you wanted to amend it in that fashion.

COUNCILMAN JOHNSON: We can act on the amendment.

MR. ROGOWSKI: But the - -

COUNCILMAN JOHNSON: The amendment calls for "directed" in place of "authorized". The amendment calls for "in accordance - -"

MR. ROGOWSKI: I don't know what you're doing. I can't keep up with your - -

COUNCILMAN JOHNSON: We can amend the language, Mr. Rogowski; and then we act on the amended resolution.

MR. ROGOWSKI: But it's Deputy Town Attorney, Bingo Inspector - -

COUNCILMAN JOHNSON: We're acting on the amendment. We'll act on the amended resolution at which time we can request a table or any other action.

MR. ROGOWSKI: I just thought you told me you couldn't - -

COUNCILMAN JOHNSON: We were not tabling the amendment. We're amending the resolution and then we may table the resolution or we may act in some other manner on the resolution.



MR. ROGOWSKI: We're going backwards. How do you have any guarantee, unless you're being presumptuous, how do you have any guarantee that the amendment will be tabled?

COUNCILMAN JOHNSON: We'll find out, won't we?

COUNCILMAN ROGOWSKI: Possibly inadvertently some of these items should have been in a different order on the agenda. Item 53, if that would come before this body before Item 46 - - excuse me - - Item 50, if 53 was to come before 50 - -

MR. ROGOWSKI: That was my suggestion, but I can't get a word in edgewise. If you wait until that point, we'll find out.

COUNCILMAN JOHNSON: First of all, Mr. Rogowski, the intent was only to amend and correct some language in the resolution. Second of all, the possibility for tabling the resolution exists.

MR. ROGOWSKI: These people don't have the guarantee - - they can't vote on a resolution that, on its face, illegal. They got - - let's vote on 53 first.

COUNCILMAN BURST: Let's go back. First of all, do we have a decision on the Sanitation Department?

MR. ROGOWSKI: No, I've been trying to listen. I've tabled that matter for Mr. Miller for a second.

COUNCILMAN BURST: I have an opinion and I don't know if it's one hundred per cent, you know. It's from a legal individual, okay? And the opinion is that a resolution cannot be tabled until the amendment is acted upon.

MR. ROGOWSKI: Mr. Guerra is the Town Attorney; you might as well talk to him. He's the Town Attorney. We're trying to do a job for you, okay? We'll do it for you. But if you want to take advice of another attorney, then don't bother us.

COUNCILMAN JOHNSON: Mr. Rogowski, I didn't need the advice of any attorney to amend the resolution and to follow Roberts' rules of order. I didn't need the advice of any attorney. I simply would like action on the amended resolution - - the amendment to the resolution so that the wording is as intended.

MR. ROGOWSKI: I disagree with this kind of a resolution on the legal basis, mainly because the way the resolution is written at this time, the Deputy Town Attorney's position at this time is not vacant and there's no guarantee it will be tabled. They don't know this and, therefore, I can't let this Board vote - -

COUNCILMAN JOHNSON: They can move on the amendment to the resolution.

MR. ROGOWSKI: Not on an if come basis where if, on its face, there's no guarantee it will be tabled, then the simplest thing to do is take the matters out of order, take Number 53 out of order and vote on it now.

COUNCILMAN JOHNSON: We still won't know.

MR. ROGOWSKI: Do what you want, don't ask me any questions.

SUPERVISOR MEYERS: There's only one vacancy. You can only advertise for one Bingo Inspector.

COUNCILMAN JOHNSON: I'm moving the amendments to the resolution so that it's of the correct language.

SUPERVISOR MEYERS: But it's improper.

MR. ROGOWSKI: You're playing games. Take 53 out of order. You don't know what you're doing, for God sake. We'll be here all night. Don't make my job difficult. I love my job.

COUNCILMAN JOHNSON: I'm not holding it up.

SUPERVISOR MEYERS: I think if we act on 53, we can clarify 50.

COUNCILMAN JOHNSON: Why don't we hold that one and move on down through the agenda.

SUPERVISOR MEYERS: Let's clear up 53 and get back. We won't know where we are.

COUNCILMAN JOHNSON: Why can't we act on Number 46?

MR. ROGOWSKI: You asked my opinion. I've given it to you. Because on its face, the resolution - -

SUPERVISOR MEYERS: He wants it on 46. We need an opinion on the tabling of the amendment.

MR. MOLESKI: That was moved and seconded - - you're putting that aside?

COUNCILMAN SWIATEK: Yes.

MR. MOLESKI: We can go on to Item 53?

SUPERVISOR MEYERS: Right.

\* \* \* \* \*

ITEM NO. 53:                   Hiring of law firm to assist  
Legal Department.

MR. MOLESKI:                Item 53 is the hiring of a  
law firm to assist Legal  
Department. Moved by  
Councilman Rogowski and seconded by Councilman Dux.  
"Be it resolved that the law firm of Guerra,  
Pressman and Hahn, with offices located at Suite  
514, Walbridge Building, Buffalo, New York be and  
hereby are retained for a fee not to exceed \$12,500  
per annum for the purpose of Town prosecutorial  
duties and other related functions of the Town  
Attorney's Office as assigned by the Town Attorney."

COUNCILMAN ROGOWSKI:      Mr. Supervisor, I'd like to  
amend that resolution to read,  
"Be it resolved that pursuant  
to Town Law, Section 20(2), Robert Miller be and  
hereby is terminated as Second Deputy Town Attorney  
and that Joseph Schoellkopf be and hereby is terminated  
as Special Prosecutor." I forward this copy to the  
Clerk, please.

MR. ROGOWSKI:              Gentlemen, before we go into  
any - - before we get our heads  
down here with a court battle,  
I want to make it clear that the jobs of Mr.  
Schoellkopf and Mr. Miller are not in the simple  
category of just eliminating it without a hearing.

MR. MILLER:                May I say something? If you  
studied the law, I'm a veteran,  
I'm under Section 75 of the  
Civil Service Law, Mr. Rogowski. You have to file  
charges against me. Let me tell you, I'm disgusted  
with you. You see what these four are here.

(Audience interruption.)

MR. MILLER: Let me tell you something - -  
You keep quiet.

SUPERVISOR MEYERS: All right, all right.

UNIDENTIFIED PERSON: Was that resolution made by  
our new councilman? And  
when was that submitted?

SUPERVISOR MEYERS: He's trying to amend this  
resolution.

UNIDENTIFIED PERSON: When did he make that?  
When was it put on the agenda?

MR. MOLESKI: Friday.

UNIDENTIFIED PERSON: Was he in office then?

MR. MOLESKI: No.

UNIDENTIFIED PERSON: He was sworn into office  
yesterday, is that right?

SUPERVISOR MEYERS: That's right.

UNIDENTIFIED PERSON: To me, that wouldn't seem  
very legal.

MRS. MAYER: Dirty politics.

COUNCILMAN JOHNSON: The movers and seconds simply must be official Town Board members as of the day that the resolution is moved.

MR. ROGOWSKI: One more point, Joe. I know - -

UNIDENTIFIED PERSON: We're concerned about our Town going down the tubes.

MR. ROGOWSKI: First of all, the amendment is improper. You're bringing up a completely different question. It has nothing to do with hiring a law firm, it has to do with firing of people.

MR. MILLER: They don't care.

COUNCILMAN ROGOWSKI: We have to terminate his position to create a vacancy.

SUPERVISOR MEYERS: That's what the waiver procedure is for. If you want to bring in a new resolution to dismiss Mr. Schoellkopf and dismiss Mr. Miller, you have to do that under the waiver. We can't come in here and use the amendment procedure - -

MR. ROGOWSKI: And the same holds true for Mr. Zoeller's job. You're

not going to fire a man,  
another man in an amendment, because it's not  
related to the resolution.

COUNCILMAN JOHNSON: Why isn't it related to  
the resolution?

MR. ROGOWSKI: It's not. There's two  
different people involved.

COUNCILMAN JOHNSON: Why?

MR. ROGOWSKI: That's my opinion. Bring  
an article 75 proceeding  
against John Rogowski.

COUNCILMAN JOHNSON: The question is terminating  
and replacing.

MR. ROGOWSKI: You're playing around with  
two different people.  
They're not correlated  
because what you did was creating a vacancy under  
an amendment rather than saying I'm firing this guy,  
Ron Zoeller is out of a job and not under an amend-  
ment. You're talking about hiring a law firm, talk  
about hiring a law firm, not talk about hiring two  
other attorneys under an amendment. That's ridiculous.  
Don't play any jokes like that.

COUNCILMAN JOHNSON: Nobody's playing jokes.



MR. ROGOWSKI: My job is to be able to advise this Board properly and not make a mockery out of governmental - - I don't care whose side these people are on, this is an absurdity. I've never seen such - -

COUNCILMAN JOHNSON: I think - -

MR. ROGOWSKI: And these two men, ten years in my office. You never complained about this man once to me. This man is a special prosecutor and assistant district attorney who's handled murder cases and we've had the good fortune of having him in my office. You're going to do this to my two men, fine. You got a lot of guesses coming after - - this man's a veteran. These two men will not be replaced under the Civil Service Laws. Read Section 75.

SUPERVISOR MEYERS: Address the chair, Judge.

JUDGE REPKA: I'm Judge Repka and I think at this point in time it's necessary for the Court to become involved in this debate for this reason: It's an apparent attempt on the part of this Board to interfere with the smooth operation of the Court which is completely contrary to any rules of judicial ethics that I'm aware of. This Board, when they appointed this position, sought out the advice of both Judge Gabryszak and myself when they created the position and also when the position was put up for filling. Now, at this point in time, the manner in which that this is occurring is totally an attempt on the part of the Board to interfere with the smooth operation of that Town Court. And I can assure you that both Judge Gabryszak and myself will not stand

for that kind of operation to try to attempt to put people in that position when there has been no complaints either voiced by myself or Judge Gabryszak in relation to the smooth operation of the Deputy Town Attorney, particularly the Deputy Town Prosecutor, Mr. Schoellkopf, is a blatant attempt on the part of this Board to involve politics in the Town Court and this is wrong, gentlemen, and I don't care whose side you're on or what your position is, that is wrong, to fire someone who's doing a good job or to even attempt to fire someone who's doing a good job. I know what's happening here. I know what you're trying to do. I know Mr. Guerra and I know Mr. Merritt. I went to school with Mr. Merritt, to law school with Mr. Merritt. I've known him thirteen years. I have no quarrel with either of those gentlemen. I can say that in terms of my relationship with them, I've been friendly with them over all of these years. But I can tell you this: In relation to those two men and the man that you're trying to replace, Mr. Schoellkopf is doing the job that he was appointed to do and that's what's important and to fire that man for your political reasons and your political motives is wrong and there's nothing else I can say about it except that it is wrong.

(Audience interruption.)

COUNCILMAN ROGOWSKI: Just to address Judge Repka's challenge, first, he mentioned politics and, certainly Judge, I'm sure that you're aware of the judicial items, and certainly I think you're probably the first one that should realize you shouldn't actually be involved in something of this nature.

Secondly, secondly, in reference to Mr. Schoellkopf, if you look at the 1980 salaries, we're talking of a salary of \$14,600. And this is for one man. In my resolution that I've introduced, it's a law firm of three men, three men for a salary of approximately \$2100 less than what

we're paying for one man. And certainly, this is the intent of the resolution, is to have three attorneys to cover those prosecutorial duties for 2,000 or \$2,100 less than what one man is doing it for. That was certainly the intent of that resolution and it was not to infringe upon the operation of the court system in the Town of Cheektowaga.

JUDGE REPKA: If you have any question about my getting involved in this matter, I suggest that you contact the Commission on Judicial Ethics because I believe that they'll back me up on this. I'm not getting involved in any political disputes. I'm getting involved in the Board's attempt to become intertwined and involved in the smooth operation of that court. And I, as one of the judges in the Town of Cheektowaga - - unfortunately, Judge Gabryszak is not available because I believe, if he were to be here available tonight, because I had a conversation with him last week, he supported me on this. I asked him whether he had any complaints about Mr. Schoellkopf and he told me he did not.

COUNCILMAN ROGOWSKI: It's certainly not my intent to infringe upon the operation of the your court system.

UNIDENTIFIED PERSON: Well, that's what you're doing.

COUNCILMAN ROGOWSKI: No, I'm not. We are able to contract with three attorneys for less than the price we're paying for one.

JUDGE REPKA: You can only have one attorney in court at a time.

COUNCILMAN ROGOWSKI: But we would have the accessibility of three attorneys.

JUDGE REPKA: We've never had any trouble with Mr. Schoellkopf being available at any time, day or night, that he's needed. If you want to discuss differences in salaries, perhaps you should have discussed that with Mr. Schoellkopf. I'm saying he's doing a job and to fire a man who's doing an excellent job is an infringement on the rights of this court and I, as an elected official of this Town, having to do with that court, have an absolute right to speak out in public on this and it's not politics, Mr. Rogowski.

COUNCILMAN ROGOWSKI: We're not trying to infringe upon the operation of your court system.

COUNCILMAN JOHNSON: I'd like to make two comments since Judge Repka has made comments in this Town Council Room. One, Judge Repka does not speak for both judges. That's one. And, 2, the accusation of politics was made by Judge Repka in this room relative to an item which he says he's not here to speak with respect to politics. No statements other than by you, Judge Repka, in any way related to politics.

JUDGE REPKA: Mr. Johnson, I'll say this: Judge Gabryszak told me, when I had a telephone

conversation with him Saturday, that he has no complaints with Mr. Schoellkopf. Now, if you're telling me something different, it either means that you're a liar or Judge Gabryszak is a liar and, personally, I prefer to believe Judge Gabryszak.

(Audience interruption.)

COUNCILMAN JOHNSON: I prefer to believe Judge Gabryszak in person and not paraphrase my supposed conversation.

SUPERVISOR MEYERS: I'm going to call upon Mr. Schoellkopf.

MR. SCHOELLKOPF: Thank you, Mr. Supervisor. I just want - - my name is Joe Schoellkopf. I'm the Town prosecutor, appointed to that position in April of 1978. Since that time, my activities have kept me not in this room, but in the courtroom.

All right. I was appointed to do a job at a certain salary. Since that time in 1978, approximately one year and eight months have gone by, there's never, to my knowledge, been a complaint about my job and my work, my competence or in any way about the way I handled myself in the job. We have in this court, me personally, I've handled 7200 cases just last year.

Now, I didn't come looking for any salary raises. I was never consulted about a salary raise. Apparently, the salary raises are only in line with the other salary raises given to other part-time employees. I didn't come here looking for anymore money and I haven't contacted the Town Board looking for anymore money. I want

to point out I'm a Town resident. I lived here for eight years, since I graduated from law school. Politics have never entered into my job in that courtroom. I'm a prosecutor. Therefore, it prohibits me from getting involved in politics.

Through the work of myself and Judge Gabryszak and Judge Repka, we've cut the caseload and backlog from three months on a traffic ticket to six weeks. We've saved the Town money. Through the judge's innovative procedures, we've cut court costs. I'm not saying that I've done all of these, I'm saying this working together with the judges because that was the job I was appointed to do.

Since I got my job, never once, never once have any of these councilmen - - Councilman Rogowski, now he's a councilman, Councilman Dux, Councilman Burst or Johnson come to me personally and asked me was there any problem with my job, are there any complaints, is there some way they can help me, is there something that should be reviewed, never, never have I ever been aware of any complaint, have they come to me with a complaint.

Since that time one year and eight months, Don Wegner has come over to court to see how things were going. Ken Meyers has come over to court. Frank Swiatek has not come to court, but he's called me on a number of occasions about the job and how things were working out. I worked closely with the Chief of Police. We've come up with different systems than we previously had in this Town.

Now - - and I want to get to the heart of this matter - - I'm not going to pull any punches here because four people are trying to fire me from a job that I've performed capably, honestly and independently for this Town according to the function that they put out when I was appointed. There was nothing in that resolution, when they appointed me, that said I had to line up behind certain political candidates or I would lose my job. It wasn't there.

However, the day after Christmas, when I first became aware of what this Town Board was trying to do, I called Councilman Burst and I asked him why am I being singled out or why am I losing my job because on that day, December 26th, a letter was received by Supervisor Meyers, a copy of which went to John Rogowski in my office, that the law firm of Guerra, Pressman & Hahn was applying for the office of Town Prosecutor on an independent basis. So that was the first indication I had that there was any problem with my job or any move to replace me.

So I called Councilman Burst and I asked him, because Councilman Burst supported me two years ago, he's called me a couple times since then to ask about tickets, the same with Councilman Dux, but I don't know, I've told them the same thing anybody calls me, "I can't do anything for you," the same as a normal individual. And I asked Jim Burst and the only witnesses to this conversation were myself and Jim Burst on the other end of the line, I didn't think it would go any farther, I was amazed the day after Christmas - - think of how your Christmas holidays would have been if you found out the same thing. Councilman Burst told me he has nothing against me. As far as he knows, I've done a good job. No problems. But there are people that have been involved in political campaigns that have to be rewarded and that's his words. Those are his words. I didn't make it up. It came from him and specifically mentioned Don Merritt and Don Guerra.

If I lose my job, I want the citizens of this Town to know, if I lose my job, I'm leaving it with a clear conscience because you've gotten your money's worth and I've done my job, but I also want them to know, and this goes to Affirmative Action, et cetera, that this Mr. Merritt and this Mr. Guerra were in line for these jobs because they had to be rewarded. Mr. Guerra, if you don't know who he is, he's the village attorney in Sloan. If you didn't know it before, Mr. Merritt managed Mr. Rogowski's campaign according to what I've heard. And was also involved in Mr. Johnson's campaign.

I see that Mary Holtz gets singled out. She worked for Ken Meyers. I see that Ed Leaks gets singled out. He worked for Ken Meyers. I see that Ron Zoeller gets fired. He works for Ken Meyers. I see that Bob Miller gets fired. He worked for Ken Meyers. I see that Joe Schoellkopf gets fired. He worked for Ken Meyers in the campaign. And I want to tell you something. This won't end here because I think I owe it not only to myself but to the good citizens of the Town of Cheektowaga that have supported Mr. Meyers and the honest members of this Town Board, that I should go forward, take this to another court and I'll sue this Town Board.

(Audience interruption.)

MR. SCHOELLKOPF: And I just want to say one more thing, sir, as far as the salary and saving money, okay, I don't just do prosecutorial work for the Town. I'm also involved in civil work for the Town. For the \$12,500 that I've been given for the past two years, I've not only done that court work over there, I've done Supreme Court work downtown, been involved in environmental regulations put in by the state and the Town. I've been involved in numerous other jobs for the Town, civil research. So if you think you're saving money, Mr. Rogowski, all you're getting is a law firm, one man who is your village attorney, one man who's your village attorney, two other men who, to my knowledge, and I'm quite familiar with criminal law, have no experience in criminal law, which is what prosecuting is all about. So you're not getting any kind of a deal. You're short-changing the citizens of this Town. You're throwing out a Town resident, putting in a three-man law firm, none of whom live in this town and, truthfully, I think it stinks. I'll join Bob Miller saying it stinks. I want to go on record saying this is not the last you've heard of this.

(Audience interruption.)



MR. COTTER: I don't think any of you gentlemen have anything to worry about. When it comes out with the answer from John Rogowski that we can have recall vote on our present council, I think that we'll have a recall vote and we won't have to worry about this agenda anymore. They'll have to go through the whole thing again. So you gentlemen that are being singled out, don't have a thing to worry about.

SUPERVISOR MEYERS: All right.

MR. COTTER: If we do recall, we'll - - I believe you appoint in place of those that are to be replaced.

COUNCILMAN JOHNSON: You know, I'd like to say, as a councilman that has sat here and patiently listened to statements, allegations, accusations, that the political charges have only been made and have only been asserted by those who were - - those who considered themselves in danger of losing their jobs, temporary appointments that they were. And, of course, the supporters are political supporters.

Now, Mr. Schoellkopf states he's not politically involved and he talks about politics throughout his statement as opposed to, you know, in making a political charge. Mr. Schoellkopf is a Democratic committeeman.

MR. ROGOWSKI: So is Mr. Merritt.

COUNCILMAN JOHNSON: I'm not saying he's not.

MR. ROGOWSKI: He's a hard working man.  
He defended Mr. Weber in  
court.

(Audience interruption.)

COUNCILMAN JOHNSON: Right now - -

MR. MILLER: He also helped Dux - -

COUNCILMAN JOHNSON: What you have right now, you  
have appointees to political  
positions arguing for their  
jobs so long as they hold those positions and  
making political charges and who have, in fact,  
engaged in political activities. However, we have  
the right to simply appoint and not to appoint as  
a Town Board and as we do periodically. And,  
based on our individual and collective judgment.  
And we have the right to do that and what's happen-  
ing here tonight is that we're - - and what has  
been happening, first, an effort to wipe us off  
the agenda, and secondly, an effort to intimidate  
these elected officials on this Town Board and  
individuals who have spoke on behalf of their  
jobs have made statements simply to intimidate and  
to prevent themselves from losing their jobs.

MRS. MAYER: No, no, no. It's not true.

SUPERVISOR MEYERS: Mr. Rogowski?

MR. ROGOWSKI: I was very much impressed with Mr. Schoellkopf's presentation and I'm not going to become - - lose my temper as I'm forced to do at times, but I want to, in a moderate tone here, present to the Board a very simple situation which - - I know what's happening here. And I'm not taking any sides, because what's happened here, I have advised the other sides what can be done on tabling and amending and I've also been very fair and honest in my opinions and decisions here tonight. Let me just say that, first of all, the items that Councilman Rogowski, my namesake, no relation of mine, but I have a great respect for otherwise, I've worked for him in a number of matters for the Town, we've had some good relationships, but let me say this: That the question of trying to hire a law firm, so-called, and first of all, this can't be done unless a vacancy is created and I'm sure we're all aware of this and I'm sure that the reason for the amendment is because the majority of this Board, the four men who have been on one side of the fence, assumed, and I'm saying this with pretty good confidence about what happened here without revealing any confidences with these gentlemen, they probably assumed that Mr. Meyers and Mr. Swiatek and/or Mr. Wegner would have, as would have been their normal gesture, to put in resolutions reappointing Mr. Miller, Mr. Schoellkopf and, as they did for Mr. Rogowski and Mr. Kirisits.

However, Mr. Meyers, Mr. Swiatek and Mr. Wegner, and I'm not trying to say that one group is more intelligent than the other, however, in their scrutiny of the situation and knowing beforehand the plot that was being planned for this coup, they decided that they'll not file resolutions reappointing Mr. Miller, Mr. Schoellkopf or Mr. Kirisits, thereby denying the other four the opportunity to vote in the negative and, therefore, creating the vacancy.

Now, in great disappointment, they're trying to get around that by amending a resolution that has nothing to do with creating this vacancy and I'm saying this because it's very, very - -

first of all, irritating because it just prevents a person from doing a proper job and move along with the important things that should be done for this Town. We have a very big town, very important matters, very many legal matters of great importance, but they can very easily do what they're trying to do here tonight with a little patience. They, in the future, can go ahead and create these vacancies by proper filing. And consider the question at that time.

I'm not revealing any big secret because that's what these people have anticipated. Mr. Meyers told these men it wasn't on because he didn't want them to be defeated. The gentlemen can go at the next meeting and create the vacancy if they want to do it. One of the obstacles are holdovers if they're not reappointed. But as soon as you vacate them from their positions, you have a position. But you're trying to jump the gun and by so doing, you're jeopardizing the whole principle behind effective appointments by the mandates issues to us by the Federal Government under Affirmative Action.

Now, it's very clear to all of us and I believe every word Mr. Schoellkopf has said about the preliminary chicanery going on as to who was going to be appointed, but the point is we knew who these men were. Not go advertise and say let the minorities come in, we'll advertise under Affirmative Action because we must, we're under a Federal mandate, let them come in and submit their applications and we'll interview 30 or 40 and of the 30, Mr. Guerra and Mr. Merritt, they must be the best qualified in this entire area. Now, if this will happen, the Federal Government is no fool. If you're going to use Affirmative Action as a veil or subterfuge to achieve political appointments, that's one of the worst disasters you could ask for because a minority group should not only be given an equal opportunity, it should be given an added opportunity.

If a man has minimal qualifications and happens to be a minority, and the minorities are listed specifically in the Act,

Blacks, Indians, Spanish speaking, women, those are people who are specified as minorities and they get not only equal opportunity, but they get a better opportunity because that's what the Federal Government says.

Now, if we can go through this whole procedure and if we come out with the result that is being attempted here, I'm sorry to say that we might as well kiss our revenue sharing funds goodby. That's one problem.

Now, if they do it properly, fine. If they do it, go ahead and vacate these positions by the next meeting, vacate the vacancy by the proper filing, proper vote which can be done, then go ahead with Affirmative Action and treat everyone properly, have a good honest, good faith attempt at hiring these people off the list, fine. But in the meantime, Affirmative Action does not apply to reappointments of people who are in office and in this case they need not go through Affirmative Action and these men can retain their positions depending upon what they depended upon for ten years and two and a half years. And, in my position, I'm talking about over 15 years of public service. I say this with no regrets. I've always done a job, I've consulted with both people - - many times with Mr. Johnson. You were reluctant to even talk to me. We do, unfortunately, have a personality clash. You very seldom called me. You called the counsel office, tell them what to ask me and I'd have to ask the Town office to call you back. We talked it over and I thought we had a good relationship. What you're doing tonight, it would be worked out, but no, you had to jump the gun. The resolution you're asking for is not proper and neither is the appointment to the Sanitation Department at this time.

COUNCILMAN JOHNSON:       Yes.

MR. ROGOWSKI:               You were thinking these men would be appointing Mr. Zoeller, but they didn't.

There's nothing to act on. Now, that's my position. If you want to do it, do so. But you can do it patiently and do it right. And no matter what the results will be, these people will know what it's going to be and they'll act accordingly.

COUNCILMAN JOHNSON: Mr. Rogowski, it's my feeling that the entire question or questions that you've raised have been - - are basically to intimidate Board members and to prevent them - - I have the right to respond, sir. I gave you the floor. And to prevent - - to prevent this body from acting in the majority or either in the negative or positive in any resolution.

Now, last Friday, we filed resolutions - -

SUPERVISOR MEYERS: Let's not go through all this. All he's saying, take the proper procedure.

COUNCILMAN JOHNSON: Wait a minute. Mr. Rogowski had the floor at great length. We've had the right to amend any resolution. We were given very short time in filing. In terms of advice, we've sought advice as much as we could to determine our rights in the matter as members of the Town Board and that advice wasn't forthcoming from your office, that advice we sought from you and from others and from whom whatever source we could in order to determine exactly what we could do here tonight. I do feel that I've been intimidated. I do feel that I've been threatened. And I do feel that this is a very lame attempt to - - a very lame attempt to protect political jobs initially.

SUPERVISOR MEYERS: Come on now.

COUNCILMAN JOHNSON: When Mr. Schoellkopf was appointed, he was shortly a law partner of Mr. Repka and he was associated with Mr. Repka in the District Attorney's office and I raised the same question at that time. Now I hear Mr. Repka defending him. Now, I don't know what the correlation there is, but, basically, what we're concerned about here is the right of the Town Board, as a majority, to appoint men to positions when these are temporary and periodic appointments and the charges of politics have not been made here but by individuals who are defending their jobs and those who are defending the apparent minority on this Town Board. Again, for political reasons.

COUNCILMAN WEGNER: First of all, I would just like to say something. About Mr. Schoellkopf, yesterday I spoke with Mr. Colbert who's the Justice Clerk, Clerk of the Justice Court, and Mr. Colbert couldn't say enough good about the work of Mr. Schoellkopf or any people over there. The court is running very, very smoothly. He's the guy that's doing a heck of a lot of work and he certainly has firsthand knowledge.

Secondly, when we hired Mr. Schoellkopf as a prosecuting attorney, he came before the Town Board along with other people and we interviewed them, and we took him because of his experience as a prosecuting attorney. That's it on Mr. Schoellkopf. I can't say enough about the man.

But I just want to say something. Two years ago, when I took office, I didn't get it easily. I had to work hard for it. I know that there were many people, many town attorneys who worked hard against me and I could have, at that time, used my influence to go after them, to use the headhunting system. I did not do that because I felt that they needed time to know who and what I am and I needed time to find out whether or not they could handle the job properly rather than just immediately saying "boom, get my friend in here. You go."

If there is, and this goes for everybody on this agenda tonight, if there is or if there ever has been a problem with any of the men that's involved in this, why haven't we, as a Town Board, and I blame us for being remiss in our duties, why haven't we called them in ever and discuss the problem with them? We've never done this. Methods like these were needed years ago by the unions because they had the need for the unions to protect the laborers. We're going right back to the old time politics. It's just terrible, and I'm not ever going to use my worry about re-election in two years and I've been threatened - - I only have two more years up here, fine. I only have two more years up here, but I never am going to use my integrity on the way I'm going to go vote. And I don't think any man would want to be under the gun, that a change in a boss could immediately fire him. I don't think he could work effectively. We should be calling these people in and telling them, "Look, this is where we think you're doing wrong," and then if they don't get better or do what we want them to do, then get rid of them. Then you have a case.

I don't think we have a case right now. I think the department head meetings that I'm pushing and that are going to be going on, there's going to be a big needed liaison between our employees and our Town Board, something we've never had. I'm not a puppet on this Board. There's people that think that. I'm not a puppet and all I do is say look at the way I vote. I stand by my voting record and, by God, I just can't go against anybody at this time without a good reason, and I think it's a flagrant misuse of our authority up here to do what we are doing tonight on this agenda.

(Audience interruption.)

COUNCILMAN JOHNSON: I'd like to say - -



SUPERVISOR MEYERS: Tom, Tom, Tom - -

COUNCILMAN JOHNSON: Now wait a second,  
Supervisor. You allowed  
anyone else - -

SUPERVISOR MEYERS: We heard you all night.  
You've been talking all  
night.

MRS. MAYER: Give somebody else a chance.

COUNCILMAN JOHNSON: Mr. Wegner has openly  
criticized people being  
considered here today. He  
has said time and time again, he must go, he must go.  
The simple situation is when you have seven board  
members, no one individually, no two individuals are  
capable of calling on the carpet anyone not through  
the system as it has been for the past few years.  
We have the right, however, to express our individual  
feelings about those.

SUPERVISOR MEYERS: Let's get to the agenda, Tom.

COUNCILMAN JOHNSON: We have the right to elect  
as a Town Board and the proof  
of the pudding, if Mr.  
Rogowski and Mr. Meyers would allow it, the proof  
of the pudding, a vote, a vote of this democratic  
Town Board. A majority or minority.

SUPERVISOR MEYERS: Do it in its proper form.

Mr. Rogowski - - I'm not going to entertain anybody off the floor until we get through the agenda. We're hung up on a couple of resolutions on a technicality.

COUNCILMAN JOHNSON: Do we have a decision on 46?

SUPERVISOR MEYERS: Wait a minute, will you. For God sakes. As chairman of this Board, what is my position on following your legal advice as was brought up and now we're in two, possibly three resolutions - -

MR. ROGOWSKI: Well, you, as chairman, are, in a sense, obligated to follow the advice I give you. If you disagree, you can say this. As chairman, you have the right to accept it and you really should accept it. If you think I could be wrong, you don't have to accept it and tell me so. But I'm telling you these things in good faith. I'm telling the whole Board these things in good faith. I may not like what they're doing, but that's their prerogative as far as the final result goes. But as far as these amendments are concerned today, and I feel that they are unrelated to the main issue because they're trying to bypass the usual situation of filing properly and have everyone vote. The other ones were simple ones. They were related to a man's salary being appointed. The amendments were all in that category. These other amendments are not in that category. And the worst part of it is if we don't scrutinize the methods by which we handle these future vacancies, if we don't do this properly, if we don't do it in a proper way, if you have the proper votes, you're going to do it.

As far as giving you my advice, I think you can follow it and that's what I'm here for, even though some Board members will disagree with me.

COUNCILMAN JOHNSON: We had to wait, Mr. Rogowski - -  
First of all, we're operating according to Roberts rules of order. We've operated to amend these resolutions to the best of our research or individual and collective research to determine exactly what we required to correct or modify our resolutions or expand on the resolutions. We had but a short time to file - -

MR. ROGOWSKI: Whose problem is that?

COUNCILMAN JOHNSON: Wait a second.

MR. ROGOWSKI: Whose - -

COUNCILMAN JOHNSON: What I'm saying, Mr. Rogowski, Affirmative Action or any other question that has been raised today and has been raised last Thursday had never been raised in the past. Therefore, certainly, Board members have to take time and had to attempt to get the best advice as possible. Now, every effort's been made to do that on my part and in terms of amending resolutions in order to provide correct resolutions, fine. These resolutions are still subject to the tabling by this Board and still subject to replacement with other resolutions or resolutions that can be modified based upon any advisement you'd be willing to give us if we ask you to provide that.



SUPERVISOR MEYERS:

Right, but you take the two candidates with you?

COUNCILMAN JOHNSON:

The information we're able to obtain through conventional channels - - We asked her for her advice as to exactly what procedures we can follow and we sought this out and we're - -

SUPERVISOR MEYERS:

No problem with that. I'm saying the attendance of the two candidates were improper.

COUNCILMAN JOHNSON:

Exactly - - no, it was not.

SUPERVISOR MEYERS:

It was not, to take the two candidates you're trying to hire, to take them and meet with the consultant?

COUNCILMAN JOHNSON:

These two individuals applied in this Town for positions.

SUPERVISOR MEYERS:

So did other people.

COUNCILMAN JOHNSON:

That they thought were open.

SUPERVISOR MEYERS:

Why weren't they at that meeting, those other attorneys that sent their resumes in?

MR. SCHOELLKOPF: Why wasn't I given my opportunity to apply for my job? Maybe I could have come back - -

COUNCILMAN JOHNSON: Mr. Schoellkopf, applications were received by this Town, as you know, when you started contacting councilmen for their vote - -

MR. SCHOELLKOPF: That's what I did - -

COUNCILMAN JOHNSON: No different than anybody else who understands or hears through rumor that their job might be in jeopardy. There's temporary appointed jobs and it was your right and their right. Now - -

MR. SCHOELLKOPF: Let's get one thing straight, Mr. Johnson. My job was in jeopardy long before I ever knew it was. So if I could have put it in, the only time I knew was December 26 because Mr. - -

COUNCILMAN JOHNSON: Mr. Schoellkopf, Mr. Schoellkopf, when we had applications for those positions, we proceeded in the same manner that this Town Board has proceeded in the past and that is to have a meeting to review those petitions, those applications. Wait a second. Now, I'm not - - You made your statement.

MR. SCHOELLKOPF: One instance. Give me one.

COUNCILMAN JOHNSON: The simple fact is we had to do it by executive board which is a first time in the history of this Town Board. All previous meetings with candidates have been called by the Supervisor without any executive order, were candidates for different jobs. We've proceeded according to past practice. We were informed and we agreed not to conduct in that manner relative to any meeting with any consultant, any applicant has the right and the right to meet with any - - in fact - - -

(Audience interruption.)

COUNCILMAN JOHNSON: The applicants for that job had the right to meet with that consultant and they were seeking out the consultant - -

MR. ROGOWSKI: I would think that the same - -

COUNCILMAN BURST: The one difference is the Sanitation Department head is appointed for two years. My personal feeling is he might be, in your legal opinion, if he's not reappointed January 1 and someone is appointed in his place, there's no job for him - -

MR. ROGOWSKI: Mr. Zoeller comes under Section 24 of the Town Officers Law, all right? They specify certain people like myself, Town Attorney, certain category. Now, all other appointed officers or employees shall hold the respective

offices at the pleasure of the Town Board except as otherwise provided by law. Now, Mr. Zoeller's position, he acts at the pleasure of the Board. Now, your situation, first of all, is that you must dismiss him, create the vacancy and then appoint whomever you wish. You're talking about upward mobility.

COUNCILMAN BURST: Right. My point is he's appointed from January 1, 1978 to December 31, 1979.

MR. ROGOWSKI: No, no, not Mr. Zoeller. Mr. Zoeller comes under the same category as these two gentlemen.

COUNCILMAN BURST: Why is he reappointed every two years? He doesn't have civil service - -

MR. ROGOWSKI: You can dismiss him in the middle of the year. It's just a question of mainly - -

COUNCILMAN JOHNSON: He - -

SUPERVISOR MEYERS: Wait a minute, wait a minute, wait a minute, Mr. Johnson, please, please. God sakes.

MR. ROGOWSKI: He comes under a separate salary situation, if you follow me. Every two years



he must have the salary. But as far as their position is concerned, they act at the pleasure of the Board unless they're protected by civil service. Now, Mr. Zoeller is not. So that's what it is. If, for example, the gentlemen had put him up for reappointment and - -

COUNCILMAN BURST: I understand.

MR. ROGOWSKI: You have to take another meeting to do it in.

SUPERVISOR MEYERS: If your intention was you had four votes on the Board and your intention was to replace Mr. Zoeller, in all fairness, okay, you should have called the gentleman in after the election, whenever you made that decision, told him that your plans are to replace him and dismiss him and give him an opportunity of two months to go seek other employment. Now, nobody said - - on a Thursday there's no vacancies. Nobody knows about any vacancies. A matter of hours later, we're putting in resolutions to replace people. So you guys really lied to us last Thursday at the Town Board meeting. You said there was no vacancies. You said we're just going to go through these interviews. The next day, when you filed your resolutions, you're talking about replacing Mr. Zoeller, you wanted to move Mr. Kirisits up to Number 1 and replace Mr. Miller. If that was your intention, and probably if you had done it right and worked it out right, you probably could do that. But I think you should have called them in and told them, put the proper resolutions in to dismiss them, but coming here at the 11th hour and trying to tack on an amendment which we've never done before when it should be coming under the waiver, it's only professional. I think it's very, very unfair and I think it's very, very unprofessional on your part. If you have the courage to do that, then have the courage to do that and tell them we're going to dismiss you.

COUNCILMAN JOHNSON: Mr. Meyers, we're operating based on the similar situation in any township of this nature and that is there's a reorganization meeting, there are periodic and temporary political appointments and we have the right to individually and separately replace individuals.

SUPERVISOR MEYERS: Let's do it professionally, though, all right?

COUNCILMAN JOHNSON: With respect to the amendment on the resolution, we thought whatever information we were able to seek and in order to present the correct resolutions to amend to provide for the elimination of a position as well as the replacement of that position. Now, the point is this: That we don't have, we don't feel and I don't feel that I have access in the preparation or had access in the preparation of these resolutions.

SUPERVISOR MEYERS: That's your problem.

COUNCILMAN JOHNSON: To all the advice necessary to make - -

SUPERVISOR MEYERS: That's your problem.

COUNCILMAN JOHNSON: - - to make decisions.

SUPERVISOR MEYERS: You went and did it your own way without asking anybody. Mr. Rogowski, could we move on the agenda here?

COUNCILMAN JOHNSON: We've asked for an amendment on Resolution Number 46.

SUPERVISOR MEYERS: And I'm saying that Mr. Rogowski is saying it's not proper, not following his advice and I'm not recognizing that amendment.

COUNCILMAN JOHNSON: I appeal that decision to the Chair. Mr. Rogowski.

SUPERVISOR MEYERS: I'm following your ruling and saying I'm not entertaining an amendment.

COUNCILMAN JOHNSON: Item Number 46. It's my understanding by Roberts Rules of Order, we can make such an amendment. That's how we proceeded - -

MR. ROGOWSKI: Not that amendment. They have to be amendments that fall within the logic of the resolution.

COUNCILMAN JOHNSON: That's right. And it's the most relevant way that could be made.

MR. ROGOWSKI: Mr. Johnson - -

COUNCILMAN JOHNSON: There's no way we could have - -

- MR.. ROGOWSKI: Please, please.
- COUNCILMAN JOHNSON: I appeal - - you're advising the Chair, I appeal the decision of the Chair.
- MR. ROGOWSKI: I won't argue with you. I'm not withholding anything from you.
- COUNCILMAN JOHNSON: And we can act again at a subsequent meeting.
- SUPERVISOR MEYERS: You got a vehicle, you have the rules to do it.
- COUNCILMAN JOHNSON: By your own rules, you can prevent the waiver.
- MR. ROGOWSKI: We know that.
- COUNCILMAN ROGOWSKI: I think what the counselor is suggesting, we withdraw the amendments at this time and act at a proper time.
- COUNCILMAN JOHNSON: If we table the resolution, it would have to be acted on as such. We would have to withdraw the resolution in its entirety and re-file. The point of the matter is that that delays the action to a subsequent meeting. That automatically

does. Okay. The only advice I've had and any of us had is that we could make such an amendment.

MR. ROGOWSKI: I told you you could make certain amendments.

COUNCILMAN JOHNSON: If we went ahead and made the amendment and --

MR. ROGOWSKI: The only amendment we talked about was a method of amendments. Salaries and related items, they've been very simple. Those amendments were proper and were part of the resolution, changing the amount of money. Now you're talking about situations where you hire or fire somebody, you have to have that properly filed. Or if you want a waiver of the rules, which you're not going to get, you know this --

COUNCILMAN JOHNSON: That's right, that's what we're talking about.

MR. ROGOWSKI: At one time I was under the impression that there was an opinion regarding how long can you keep a hold-over. And at one time there was some opinion in the past, I believe that if we hold over 30 days -- that's not so. No, sir, no longer so.

COUNCILMAN JOHNSON: I realize that.

MR. ROGOWSKI: That's a point I want to bring to your attention. Now, as far as Affirmative Action

regarding Mr. Zoeller insofar as advertisements, you can talk to Miss Lowery and she'll tell you what to do in that regard. I'm talking about resolutions to the Town Board. Now, Miss Lowery is talking to you about Affirmative Action. She's trying to give you advice about running a Town Board meeting; I don't think she can consult you on Town Board meetings.

SUPERVISOR MEYERS: I can check the Affirmative Action people, make it very clear what my position is because I don't want to be talking to those people anymore. So I'll have a ruling from them, if we're proceeding and what will they do if we do this. That's what we're going to find out from the Affirmative Action people.

COUNCILMAN ROGOWSKI: So I suggest on Items 46, 50 and 53, that we'll withdraw those items until such time at a subsequent meeting that we can file - -

COUNCILMAN JOHNSON: The question is whether or not what we are filing is proper - - the point of the matter is we attempted to make amendments. The Town Attorney's advised us we can't make any amendments.

MR. ROGOWSKI: You can make amendments, for Christ's sake.

COUNCILMAN JOHNSON: The amendments we're seeking - -

SUPERVISOR MEYERS: Let's move on to 46.

MR. MOLESKI: 46 was Councilman Burst and seconded by Johnson.

SUPERVISOR MEYERS: Are you going to withdraw 46?

COUNCILMAN JOHNSON: I would like - - I would have liked to have amended that resolution as we had asked and then you have a perfect right to table it and we have the perfect right to present a second resolution if that amended resolution is improper. But the point is our proposal is the amended resolution. We've spent the last few days, several days from last Friday, researching as much as we could and without the full resources of the Town, researching these topics. We can continue to attempt to find out exactly what steps, what other steps we could possibly take. The point is - -

SUPERVISOR MEYERS: Are we going to withdraw 46?

COUNCILMAN SWIATEK: Yes or no?

COUNCILMAN JOHNSON: Wait a second. The decision of the Chair is that we can't amend that resolution.

SUPERVISOR MEYERS: I'm following the legal advice.

COUNCILMAN JOHNSON: I appeal that decision. I appeal the decision to the Chair. If our resolution is

inaccurate - -

SUPERVISOR MEYERS: If we have this, we don't have a waiver of the rules because you could take this avenue all the time.

COUNCILMAN JOHNSON: I feel that our amended resolution should be tabled so we're - -

SUPERVISOR MEYERS: It's improperly filed.

COUNCILMAN JOHNSON: We'll call a special meeting and we have a letter to present you, Supervisor.

SUPERVISOR MEYERS: Fine. We'll take Councilman Rogowski's advice and withdraw 46?

COUNCILMAN JOHNSON: When I - -

COUNCILMAN SWIATEK: Tom, please.

COUNCILMAN JOHNSON: Wait a second. When I appeal the Chair's decision, I think we have a vote here. Mr. Rogowski, what's the interpretations when we appeal the decision of the Chair? How is that determined, Mr. Rogowski?



MR. ROGOWSKI: It's his decision.

COUNCILMAN JOHNSON: The Board does not have a vote?

MR. ROGOWSKI: These men should abstain and the whole situation is such, if there is an improper matter, there is no other way to get around it. If you want to go against my advice, do it some other way, but it's not done by a vote. You don't outvote the Chair on a question of procedure of this type.

COUNCILMAN JOHNSON: It's in Roberts Rules of Orders.

MR. ROGOWSKI: Why don't you read it then. You got about 82 rules you're giving me tonight.

MR. MOLESKI: Item 46.

SUPERVISOR MEYERS: Call a special meeting.

COUNCILMAN JOHNSON: We are calling that meeting.

SUPERVISOR MEYERS: You're requesting it; I'm calling it. Okay.

COUNCILMAN BURST: In the beginning we appointed a Recreation Director, you said it wasn't necessary, you wanted it withdrawn. Now, in this case - -

MR. ROGOWSKI: I didn't go to - -

COUNCILMAN BURST: I don't want to disagree with you. It's gone back and forth the last week and a half and it's very difficult - -

MR. ROGOWSKI: All my decisions have been the same, though. You're talking about different people. I don't mean to interrupt you. All my decisions have been the same and I've concentrated on these before giving them out. I've told you how to do it. Now the situation with Eddie Leaks I wasn't even aware it was on the agenda tonight. I was under the impression - - I did catch the sole assessor and the real estate appraiser and I was under the impression it was withdrawn. But during the course of trying to answer your questions, the agenda was going on. And I realized what Mr. Schoellkopf brought to my attention is why are these resolutions on here. Now, those things will happen. Now, the situation with Mr. Leaks, it shouldn't have happened and that should be re-considered. Now, I'm not doing anything different - -

COUNCILMAN JOHNSON: You're going to allow that resolution to be amended?

MR. ROGOWSKI: Yes. Because you're talking about taking a word out of it. You're not putting someone in his place.

COUNCILMAN JOHNSON: You're taking "appointment" out?

COUNCILMAN SWIATEK: "Reappointment."

MR. ROGOWSKI: You voted on it, not me. What do you mean by "I'm" doing. You voted "nay", so don't give me that kind of garbage.

COUNCILMAN JOHNSON: That isn't my resolution. The resolution was drafted by the Supervisor. You're saying that was an uncorrected worded resolution?

MR. ROGOWSKI: If you would have voted yes, it would have been all over with.

COUNCILMAN SWIATEK: Tom, Tom - -

COUNCILMAN JOHNSON: In terms of opinion --

MR. ROGOWSKI: You know, you remind me of a guy - - with all due respect, your motions and your loud voice and your pounding on the table reminds me of something I went through during the Korean deal when I was watching the McCarthy proceedings and you fit that perfectly.

COUNCILMAN JOHNSON: Mr. Rogowski, it's you who have cross examined and you have accused, not I.

MR. ROGOWSKI: You've cross examined everybody.

COUNCILMAN JOHNSON: Mr. Rogowski, you're a fine politician, you ran for office before and - -

COUNCILMAN SWIATEK: Tom, can we appeal to you, can we - -

COUNCILMAN BURST: We'll withdraw it.

COUNCILMAN JOHNSON: Okay, it's okay so long as we proceed with the special meeting. Now I am sure - -

SUPERVISOR MEYERS: You request and I'll call it, so you get that straight.

COUNCILMAN JOHNSON: We realize, Mr. Supervisor, you may and we realize you may not call it.

SUPERVISOR MEYERS: I'll call it.

COUNCILMAN SWIATEK: 46.

COUNCILMAN BURST: We'll withdraw it.

COUNCILMAN SWIATEK: 46 is withdrawn.

MR. MOLESKI: Moved by Councilman Burst  
and Councilman Johnson.

COUNCILMAN JOHNSON: 50.

SUPERVISOR MEYERS: Withdraw 50 - -

COUNCILMAN SWIATEK: Johnson and Dux.

COUNCILMAN JOHNSON: On these resolutions, Mr.  
Rogowski, we are acting  
because you've advised us  
that we cannot amend in the manner in which we've  
suggested.

MR. ROGOWSKI: Right.

COUNCILMAN JOHNSON: And it's under protest we're  
withdrawing because Roberts  
Rules of Order allows us to  
amend.

MR. MOLESKI: Item 50.

SUPERVISOR MEYERS: So recorded.

MR. MOLESKI: Been withdrawn. 50 is withdrawn, Johnson and Dux.

SUPERVISOR MEYERS: And 53.

MR. MOLESKI: Rogowski and Dux.

COUNCILMAN JOHNSON: By the way, Mr. Rogowski - - for the record, I'd like your reasons for not permitting the amendment on Item 50.

MR. ROGOWSKI: It's not related - -

COUNCILMAN JOHNSON: Wait a second. Those were changes in wording.

MR. ROGOWSKI: It's not sufficiently related - -

COUNCILMAN JOHNSON: Item 50 is the - -

MR. ROGOWSKI: Would you let me finish my statement? Otherwise, I'm not going to answer a thing. Let me answer. I don't want to shout, please. Because I don't want to use your tactics. Let me

say very quietly that the amendments are improper because they are not the type of amendments that can be placed on this type of resolution. They're not related to the main subject matter of the resolution being presented. They're not related sufficiently to be an amendment. They should be a separate resolution. That's my opinion.

COUNCILMAN JOHNSON: On Item 50 or the others?

SUPERVISOR MEYERS: Look it, on 50.

COUNCILMAN ROGOWSKI: If you want to act - - in that one vacancy for Building Inspector - -

MR. JOHNSON: I - -

SUPERVISOR MEYERS: Would you be quiet.

MR. ROGOWSKI: It's improper because there's no vacancy.

COUNCILMAN JOHNSON: We can't add to the amendment because there's no vacancy.

(Discussion off the record.)

COUNCILMAN JOHNSON: We'll withdraw 50.

SUPERVISOR MEYERS: 50 is withdrawn.

\* \* \* \* \*

ARTHUR J. CAPRIO, R.P.R. Court Reporter

Cheektowaga, N. Y. 14225

\* \* \* \*  
B I D S  
\* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 2 - January 21, 1980</u>		
2	Work Uniforms for 1980	1
3	Athletic White Stripe for 1980	1
4	Pool Maintenance Chemicals for 1980	1
5	Leasing and servicing of portable chemical toilets for 1980	1
<u>Meeting No. 3 - February 4, 1980</u>		
2	Storm sewer cleaning work at various locations in Town	1
3	Furnishing of material for a pre-fab building	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. 2 - January 21, 1980</u>	
6	Amendment to the Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (CENTRAL BLVD., CENTRAL AVE., OLD STONE ROAD, MARYWOOD); Article X: "Parking, Standing, Stopping" (WOODSIDE, RIFFEL)	1-2
	<u>Meeting No. 3 - February 4, 1980</u>	
4	Amendment to the Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (CASTLEWOOD DRIVE)	1-2

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

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 2 - January 21, 1980</u>	
7	Decision on Rezoning - 3443 Genesee Street.	2
8	Decision on Rezoning - 2550 Union Road.	2-3
9	Decision on Rezoning - 3507 Union Road.	3
10	Decision on Rezoning - 3965 Union Road.	3-4
11	Decision on amendment to the Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (DALE ROAD & PEPPY PLACE); Article X: "Parking, Standing, Stopping" (McNAUGHTON AVENUE).	5-6
12	Call for public hearing for amendment to Traffic Ordinance - Article VIII: "Stop & Yield" (CASTLEWOOD DRIVE).	7
13	Call for public hearing on proposed sanitary sewer system rehabilitation.	8-9
14	Notice to Bidders - Storm sewer cleaning work.	10
15	Notice to Bidders - Furnishing of equipment and operators for drainage projects.	11
16	Notice to Bidders - Material for one pre-fab metal building.	12
17	Award of bid for Dimensional Lumber.	13-14
18	Authorization to prepare easements for proposed storm sewer construction along rear property on Fairelm.	14
19	Authorization for construction of storm sewer on Euclid Avenue for sanitary sewer inflow correction.	14
20	Authorization for Town Planning Consultant and Town Community Development Coordinator to enter negotiations for 1979-80 Community Development Block Grant application for loan/grant program.	14-15
21	Authorization for Supervisor to sign agreements regarding Senior Citizen Nutrition Sites at four (4) locations.	15
22	Authorization for Supervisor to execute Joint Powers Agreement to apply for funds under Title VII of C.E.T.A. Act of 1973.	15
23	Memorialize N.Y.S. Dept. of Transportation to install advance green light on Harlem and William.	16
24	Request Erie County Dept. of Public Works to either move or close westerly driveway of plaza on Cleveland and Century.	16
*25	Terminate employee from position of Working Foreman in Sanitation Department.	17
*26	Appointment to position of Working Foreman in the Sanitation Dept.	17
*27	Terminate employee from position of 1st Deputy Town Attorney. *Court Reporter's Minutes follow these three items; details on 25, 26 & 27.	17
28	Appointment to position of Deputy Town Attorney.	17a
29	Appointment of Loris Durfee as housing inspector.	18
30	Retain Loris Durfee as housing inspector.	18
31	Create position of Plumber in Facilities Department.	18
32	Create position of Detective in Police (relating to GAMES OF CHANCE Law) Dept.	18
33	Create two (2) temporary positions of Crew Supervisor in Chktg. Youth Bureau.	18-19
34	Two (2) appointments to position of laborer in Sanitation Dept.	19
35	Appointment to positions of Mechanic Helper and Auto Mechanic in Central Garage.	19

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 2 - January 21, 1980 Cont'd.</u>		
36	Reappointments to Traffic Safety Commission.	19-20
37	Reduction of membership from Traffic Safety Commission.	20
38	Change title of Junior Career Trainee in Recreation and transfer from Title VI to Title II.	20
39	Change of Title of Junior Career Trainee at Catholic Charities from Title VI to Title II.	20
40	Rehiring of part-time help for Recreation Department and Senior Citizens Division.	21
41	Hiring of part-time clerks in Justice Court.	21-22
42	Hiring of seasonal laborers in Sanitation Department.	22
43	Hiring of seasonal employees in Central Garage.	22
44	Authorization for one-day excusable leave for two (2) Union Members.	22
45	Authorization for Jim Matecki to make periodic inspections at Federal Surplus Property Depot.	23
46	Authorization for individuals to attend annual Association of Towns Convention.	23
47	Authorizztion for Town Attorney to travel to Albany and New York to attend to various Town matters.	23-24
48	Authorization for Town Engineer to attend meetings regarding Wastewater Projects, flood control and drainage projects.	24
49	Designation of Town of Cheektowaga Minority Business Enterprise Officer.	23
50	Authorization for Nussbaumer & Clarke to furnish services for Step 3 Grant for S.S.D. No. 5 service area and for Supervisor to sign application and agreement regarding same.	25
51	Authorization for Town to pay portion to County for study and preparation of solid waste action plan.	16-17
52	Authorization for expenditure of funds to complete alterations on signal at Cleveland and Century.	25
53	Appropriation of Federal Revenue Sharing Funds for local drainage improvements at Princeton & Marilyn.	25-26
54	Appropriation of Federal Revenue Sharing Funds for local drainage improvements at Rosemead and Fairelm.	26
55	Warrant List.	26

Meeting No. 3 - February 4, 1980

5	Set date for next regular Town Board meeting.	2
6	Authorization for Executive Director of Youth Bureau to attend Conference in Washington, D.C.	2
7	Youth Bureau - Agreement between Town of Chktg. and Frontier Fiber, Inc. re: Trailer on Town property for storage of recycled paper.	2-3
8	Youth Bureau - Appointment of Work Crew Supervisors.	3
9	Appointments and reappointments to the Cheektowaga Youth Board.	3-4
10	Hiring of part-time Senior Citizens Van Driver.	4
11	Appointment of seasonal laborers, as replacements for vacations in Sanitation Dept.	4
12	Create position of "Clerk-Typist" in Town Justice Dept.	4-5
13	Promotional appointment to position of "Clerk-Typist" in Town Justice Dept.	5

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 3 - February 4, 1980 Cont'd.</u>		
14	Temporary appointment of "Clerk-Typist" in Town Justice Dept.	5
15	Appointment of Town Historina.	5
16	Appointment to Cheektowaga Library Board.	5
17	Appointment of Housing Affirmative Action Officer for Town of Cheektowaga.	5-7
18	Appointment of Delegate and Alternate to N.Y.S. Association of Towns' Annual Business Session.	7
19	Military service leave for Cheektowaga Police Officer.	7
20	Leave of absence for employee in Facilities Department.	7-8
21	Call for Public Hearing to amend Traffic Ordinance - Article X: "Parking, Standing, Stopping", Sec. 104: Parking in excess of twenty-four hours prohibited.	8
22	Decision on amendment to Traffic Ordinance - Art. X: "Parking, Standing, Stopping" (CRANDON BLVD. & PEINKOFER DR.).	9-10
23	Decision on amendment to Traffic Ordinance - Art. X: "Parking, Standing, Stopping" (EAST TREEHAVEN ROAD).	11
24	Decision on amendment to Traffic Ordinance - Art. VIII: "Stop and Yield" (CENTRAL BLVD., OLD STONE RD. & MARYWOOD DR.); Art. X: "Parking, Standing, Stopping" (WOODSIDE LN. & RIFFEL TERR.).	12-13
25	Memorialize County of Erie to investigate need for left-turn arrow on George Urban Blvd. signal face at Dick Road.	14
26	Memorialize Erie County Deputy Commissioner of Highways to grant permit for installation of signal at existing French Rd.-Towers Blvd. intersection.	14
27	Memorialize County of Erie to grant permit for installation of signal at existing French Road-Towers Blvd. intersection.	15
28	Authorization for bond counsel and Town Attorney and Town Engineer to prepare financial study re: Bond resolution for Alexander Ave. pedestrian bridge and Beryl Dr., Broad St. & Chapel Ave. culverts.	15
29	Approval of Public Improvement Permit for Coatesworth Part 10, Phase IA, Subdivision.	15
30	Advertise for bids for the construction of Phase I - Walden Ave. Drainage Project.	15-17
31	Advertise for bids for the construction of Phase I - Walden Ave. Drainage Project.	18
32	Advertise for bids for moving election machines to and from polling locations.	18
33	Award of bid for work uniforms.	19-20
34	Emergency sewer repairs - Sanitary Sewer Dists. No. 3 & No. 5.	20
35	Award of bid for Athletic White Stripe for the year 1980.	20-21
36	Award of bid for partable chemical toilets for the year 1980.	21
37	Rejection of bid for pool maintenance chemicals for 1980.	21
38	Readvertise for bids for pool maintenance chemicals for 1980.	21-22
39	Call for public hearing for special permit on property located at 3519 Broadway	23
40	Call for public hearing for rezoning at 900 French Road.	24
41	Designation of additional Town Depository.	25
42	Authorization for Town accounting firm to prepare special review of Town Justice Department.	25-26
43	Transfer of funds to Highway budget to complete storm sewer, catch basin project on Wellworth Place.	26

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 3 - February 4, 1980 Cont'd.</u>	
44	Appropriation of 1980 budgeted funds for various Town cultural groups.	26
45	1980 salaries for Town Officials and employees not covered in any bargaining unit.	26
46	Designation of Official Newspaper of the Town of Cheektowaga.	26

\*\*\*\*\*  
DEPARTMENTAL COMMUNICATIONS  
\*\*\*\*\*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 2 - January 21, 1980</u>	
56	Letter from K. Meyers, Supervisor, removing former Deputy Supervisor and appointment of new Deputy Supervisor.	27
57	Annual report of Town Clerk.	27
58	Annual report of Town Justice.	27
59	Annual report of Town Historian.	27
60	Health report for December, 1979.	27
61	Minutes of Library Board Meetings.	27
62	Theodore DeFedericis, Chief of Police - Letter of commendation to Officer Philip Williams.	27
	<u>Meeting No. 3 - February 4, 1980</u>	
47	Building Permits.	27
48	Supervisor's Statement of Funds - November, 1979.	27

\* \* \* \* \*  
 G E N E R A L   C O M M U N I C A T I O N S  
 \* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 2 - January 21, 1980</u>		
63	N.Y.S. Dept. of Transportation - Notice of Hearing regarding Greyhound Lines, Inc.	27
64	Erie County Dept. of Public Works - Sign permit application for intersection of George Urban and Harlem Road.	27
65	Erie County Dept. of Public Works - Letter regarding signalization of Walden Avenue at Peppy Place.	27
66	Depew Village Clerk - Letter and map changing name of street.	27
67	Letter from Anthony Osswald, Secretary of Traffic Safety Commission re: Police enforcement of winter snow ban.	27
68	Southline Fire District No. 10 Commissioners - Letter requesting installation of hydrant on Dubonnet Drive.	27
69	Mobil Pipe Line Co. - Letter regarding personnel to be contacted during emergency.	28
70	Letter and information regarding Association of Towns Convention.	28
71	Cheektowaga Times - Requests designation as Official Newspaper for the Town.	28
72	Letter from Ruth Anderson, on behalf of Vera London re: Flooding in her basement on December 25, 1979.	28

Meeting No. 3 - February 4, 1980

49	N.Y.S. Dept. of Transportation - Notice of order establishing parking restrictions at several intersections along Broadway.	27
50	N.Y.S. Dept. of Transportation - Appropriation of property re: State Project, Gardenville-Williamsville, Part 2.	27
51	Order to Show Cause - National Pride Equipment, Inc. vs. Town of Cheektowaga.	27
52	Summons & Complaint - Dale P. Doktor vs. Town of Cheektowaga, Town of Elma, Officer J. Huntz, Chktg. Police Dept. and Police Chief.	27
53	Summons & Complaint - Charles & Karen Roberto vs. Town of Chktg. and James and Carol Nawojski.	27
54	Summons with Notice - Mary & Paul Foyster vs: Town of Cheektowaga and Lunetta's Drive-In.	27
55	Notice of Claim - Richard J. Piontek vs. Town of Cheektowaga and County of Erie.	27
56	Notice of Claim - Travelers Insurance Co. in behalf of Edward Chmura against Town of Chktg.	27
57	Notice of Claim - Nationwide Insurance Co. in behalf of Grace Pietrzak against Town of Cheektowaga.	27
58	Letter and copy of resolution dated 1/7/80 from Village of Depew re: Adoption of Local Law No. 1 of the year 1980-Games of Chance.	28
59	R. Maussner, President, Chktg. Chamber of Commerce - Request to speak re: Adoption of resolutions dated 1/29/80 with regard to Towns' Affirmative Action Policy and Removal of present Sanitation Foreman.	28
60	Mrs. H. Mayer, read at Town Board meeting re: CHEEKTOWAGA TIMES Newspaper.	28
61	Eggert Road Residents - Correspondence relative to the condition of Eggert Road.	28

\* \* \* \* \*  
 F R O M   T H E   T A B L E  
 \* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 2 - January 21, 1980</u>		
73	Appointment of Town Attorney.	28
74	Abolish position of Deputy Supervisor.	28
75	Appointment of Town Engineer.	28
76	Appointment of Town Engineer.	28
77	Appointment of Registrar and Deputy Registrars of Vital Statistics.	28
78	Set Salary of Executive Director of Youth Bureau.	28
79	Set Salary of Assistnat Chief of Police.	28
80	Appointment of Deputy Receiver of Taxes.	29
81	Appointment of Deputy Superintendent of Highways.	29

Meeting No. 3 - February 4, 1980

*62	Appointment of Town Attorney.	28
*63	Termination of present Working Foreman in Sanitation Dept.	28
*64	Appointment to position of Working Foreman in Sanitation Dept.	28
*65	Termination of First Deputy Town Attorney.	28-29

\*Court Reporter's Minutes on Item Nos. 62, 63, 64 & 65 follow Item No. 65 (details of these items).



\* \* \* \* \*  
 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. 2 - January 21, 1980</u>		
82	Appropriation of funds for drainage improvements to protect the Madeira Drive Subdivision.	29
83	Authorization for Supervisor to sign agreement with Probation Department of Erie County.	29-30
84	Hiring of laborer in Sewer Maintenance.	30-31
85	Appointment to Cheektowaga Traffic Safety Commission.	31-32
86	Authorization for Supervisor to submit application to Cheektowaga Central School District for use of auditorium.	32
87	Retain Henry Szymanski to Offer to Purchase land and/or easements.	32
<u>Meeting No. 3 - February 4, 1980</u>		
66	Warrant List.	30
67	Authorization for Town Planning Consultants to perform site and cost survey re: Senior Citizen Center.	30-31
68	Wage and Holiday adjustments for school crossing guards.	31
69	Greetings and thanks to Canadian Government for safe return of six American Citizens from Iran.	31-32

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 January, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Mary F. Holtz, Deputy Town Clerk; John V. Rogowski, Town Attorney; Robert Miller, Deputy Town Attorney; Jerry Gabryszak, Community Development Coordinator; Chester Bryan, Town Engineer; Ed Leak, Recreation Director; George Burst, Working Foreman in the Central Garage; Julia Reinstein, Town Historian; Sal LaGreca, Assistant Manpower Program Director I; Chief of Police, T. DeFedericis; Ron Zoeller, Working Foreman in the Sanitation Department; Alfred Wnek, Highway Superintendent; Ron Marten, Building and Plumbing Inspector; Andrew Schwenk, Sole Assessor.

I. BIDS

Item No. 2 Work Uniforms for 1980  
Referred to Chester Bryan, Town Engineer

Item No. 3 Athletic White Stripe for 1980  
Referred to Jim Matecki, Facilities Director

Item No. 4 Pool Maintenance Chemicals for 1980  
Referred to Jim Matecki, Facilities Director

Item No. 5 Leasing and servicing of portable chemical toilets for 1980  
Referred to Jim Matecki, Facilities Director

II. PUBLIC HEARING

Item No. 6 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 VIII

Stop and Yield Intersections

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

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets.

Item No. 6 cont'd

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CENTRAL BLVD.	East-West	KILBOURNE ROAD	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	EASTLAND PKWY.	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	EAST GRAND BLVD.	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	WEST GRAND BLVD.	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	MIDLAND DRIVE	Southbound	N.W. Corner
OLD STONE ROAD	East-West	MARYWOOD DRIVE	Southbound	N.W. Corner
MARYWOOD DRIVE	North-South	ELY ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations 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

WOODSIDE LANE	South side	from the west curb line of BORDEN ROAD to the start of the cul-de-sac
RIFFEL TERRACE	East side	from the south curb line of SO. TRANSITHILL DRIVE to the terminus

\* \* \* \* \*

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. 7 Decision on Rezoning - 3443 Genesee Street  
This item was withdrawn.

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

WHEREAS, Theodore B. Kulbacki has applied for a rezoning from RA-Apartment District and RC-Restricted Business District to C-Retail Business District on property located at 2550 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. 63, Township 10, Range 7 of the Buffalo Creek Reservation and more particularly bounded and described as follows: - Beginning at the point of intersection of the center line of Union Road and the south line of Lot No. 63, which is also the point of beginning of the parcel of land first described in a deed from Walter V. Hein to Thomas A. Kaznowski and Emily A. Kasnowski, his wife, recorded on August 29, 1934 in Liber 2366 of Deeds at page 266 in the Erie County Clerk's Office; running thence northerly along the center line of Union Road 280.20 feet to a point; thence running westerly and along a line parallel to the north line of land deeded by Palmer and Griffiths as

Item No. 8 cont'd

Executors to Vogel recorded in the Erie County Clerk's Office in Liber 1255 of Deeds at page 402 for a distance of 666 feet and to the east line of land conveyed by Thomas A. Kaznowski and Emily A. Kaznowski to George Schreiber and Albert Winkelman by deed recorded on May 25, 1942 in the Erie County Clerk's Office in Liber 3247 of Deeds at page 573; thence running southerly and at an exterior angle to the last mentioned course of 90°45' and also along said east line of said Schreiber and Winkelman for a distance of 165.36 feet and to the south line of Lot No. 63; thence running easterly and along said south line of Lot No. 63 for a distance of 677.86 and to the center line of Union Road at the point of beginning. Excepting from the above described parcel of land appropriated by the State of New York for the widening of Union Road pursuant to Map 39, Parcel 48 for S.H. No. 1733, Gardenville-Williamsville Part I as recorded in Liber 7130 of Deeds at Page 547 in the Erie County Clerk's Office. Subject to the rights of the public in and to Union Road,

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 6th day of August, 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 Cheektowaga Planning Commission has recommended denial of this application, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from RA-Apartment District and RC-Restricted Business District to C-Retail Business District be and is hereby denied.

Upon Roll Call....

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

Item No. 9 Decision on Rezoning - 3507 Union Road  
This item was withdrawn.

Item No. 10 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Florence M. Ciolek, Owner and Uniland Development Company have applied for a rezoning from M1-Light Manufacturing District to CM-General Commercial District on property located at 3965 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 Farm Lot Number twelve (12), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:  
Beginning at a point located on the southerly line of Map Cover No. 962 as filed in the Erie County Clerk's Office, located 22 feet easterly of the intersection of the original easterly line of Union Road as originally 66 feet wide and the said southerly line of map cover 962; thence southerly and parallel to the easterly line of Union Road as originally 66

Item No. 10 cont'd

feet wide, said line being the present westerly line of Union Road, 129.78 feet to a point; thence easterly at right angles 178 feet to a point; thence northerly at right angles 113.3 feet to a point of intersection with the southerly line of said map cover 962; thence westerly and along said southerly line of land in said map cover 962, 178.92 feet to the point or 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 5th day of November, 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 Town Planning Board has reviewed said application and has presented no objection thereto provided that the Petitioner submit a Development Plan as required by Section 10-10 of the Zoning Ordinance, and provided further that a sidewalk should be installed within the designated green area for pedestrian safety on the entire Union Road frontage plus provisions must be made for the required easement on the Union Road frontage as required by the Town Engineer, and

WHEREAS, said Development Plan has been duly submitted to the Town and said Development Plan and application fulfill the requirements of the Town, NOW, THEREFORE, BE IT

RESOLVED that the said rezoning is granted subject to the owner complying with the requirements set forth in the Development Plan and subject to the owner complying to the conditions regarding sidewalk and easement as set forth above, and BE IT FURTHER

RESOLVED that the above described premises are rezoned from M1-Light Manufacturing District to CM-General Commercial 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, Burst,  
Wegner and Rogowski  
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

EXTRACTS FROM MINUTES  
OF CHEEKTOWAGA  
TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of January, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman  
William P. Rogowski

ABSENT: 0  
Motion by Councilman Wegner, Seconded by Councilman Swiatek.

WHEREAS, Florence M. Ciolek, Owner and Uniland Development Company have applied for a rezoning from M1 - Light Manufacturing District to CM - General Commercial District on property located at 3966 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 Farm Lot Number twelve (12), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point located on the southerly line of Map Cover No. 962 as filed in the Erie County Clerk's Office, located 22 feet easterly of the intersection of the original easterly line of Union Road as originally 66 feet wide and the said southerly line of map cover 962; thence southerly and

parallel to the easterly line of Union Road as originally 66 feet wide, said line being the present easterly line of Union Road, 129.78 feet to a point; thence easterly at right angles 178 feet to a point; thence northerly at right angles 113.3 feet to a point of intersection with the southerly line of said map cover 962; thence westerly and along said southerly line of land in said map cover 962, 178.92 feet to the point or 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 5th day of November, 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 Town Planning Board has reviewed said application and has presented no objection thereto provided that the Petitioner submit a Development Plan as required by Section 10-10 of the Zoning Ordinance, and provided further that a sidewalk should be installed within the designated green area for pedestrian safety on the entire Union Road frontage plus provisions must be made for the required easement on the Union Road frontage as required by the Town Engineer, and

WHEREAS, said Development Plan has been duly submitted to the Town and said Development Plan and application fulfill the requirements of the Town, now, therefore, BE IT

RESOLVED, that the said rezoning is granted subject to the owner complying with the requirements set forth in the Development Plan and subject to the owner complying to the conditions regarding sidewalk and easement as set forth above, and BE IT FURTHER

RESOLVED, that the above described premises are rezoned from M1 - Light Manufacturing District to CM - General Commercial District, 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  
Councilman Johnson  
Voting AYE  
Councilman Dux  
Voting AYE  
Councilman Rogowski  
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 January 21 1980, 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. 10, inclusive, of said book.

George J. Measer  
sworn, deposes and says that he is the  
Publisher  
of the  
Cheektowaga News  
a  
paper published at  
Williamsville  
New York, that the  
which the annexed printed slip taken from  
er, is a copy, was inserted and published

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 January 1980.

(SEAL)  
RICHARD M. MOLESKI  
Town Clerk  
Jan. 25

Subscribed and sworn to before me this 25th day

of Jan. 19 80

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. 11 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 2nd day of January, 1980 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. Stop intersections designated shall be amended by deleting the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
DALE ROAD	East-west	THE AVENUE	Southbound	N.W. Corner

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

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
PEPPY PLACE	North-south	DALE ROAD	Eastbound	S.W. Corner
PEPPY PLACE	North-south	DALE ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations is amended by adding thereto the following.

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

C. No parking here to corner

McNAUGHTON AVENUE	East side	from the south curb line of GEORGE URBAN BOULEVARD to a point 120 feet therefrom
-------------------	-----------	--

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.

Item No. 11 cont'd

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, Burst, Wegner  
and Rogowski

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 24 day of

Jan 24, 1986, and ending on the 24 day of Jan, 1980

*James Charters*

Signed \_\_\_\_\_

Sworn to before me, on the 25 day of Jan, 1986

*Lillian A. Ansel*  
Notary Public

LILLIAN A. ANSEL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1988

EXTRACTS FROM  
MINUTES OF  
CHEEKTOWAGA  
TOWN BOARD

ARTICLE VIII

Section 2. Time to take effect.

Stop and Yield Intersections

(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.

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 January, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

**ABSENT:** 0

Motion by Councilman Wegner. Seconded by Supervisor Meyers.

WHEREAS, this Town Board duly held a public hearing on the 2nd day of January, 1980 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:

Section 80. Stop intersections designated shall be amended by deleting the following:

Street: DALE ROAD,  
Direction: East-west,  
Entrance Street: THE AVENUE,  
Southbound, Sign Location: N.W. Corner.

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

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

Street: PEPPI PLACE,  
Direction: North-south,  
Entrance Street: DALE ROAD,  
Eastbound, Sign Location: S.W. Corner.

Street: PEPPI PLACE,  
Direction: North-south,  
Entrance Street: DALE ROAD,  
Westbound, Sign Location: N.E. Corner.

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations is amended by adding thereto the following.

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

C. No parking here to corner McNAUGHTON AVENUE, East side, from the south curb line of GEORGE URBAN BOULEVARD to a point 120 feet therefrom

(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.

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 January 21, 1980, 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.

Upon roll call . . . . .

Supervisor Meyers, Voting AYE  
Councilman Swiatek, Voting AYE  
Councilman Johnson, Voting AYE  
Councilman Dux, Voting AYE  
Councilman Burst, Voting AYE  
Councilman Wegner, Voting AYE  
Councilman Rogowski, Voting AYE

AYES: 7  
NAYES: 0  
ABSENT: 0

STATE OF NEW YORK  
COUNTY OF ERIE

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 21st day of January, 1980.

RICHARD M. MOLESKI  
Town Clerk

Item No. 12 Motion by Councilman Wegner, seconded by Supervisor Meyers

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 4th day of February, 1980 at 7:00 P.M., Eastern Standard 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 24th day of January, 1980; 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 4th day of February, 1980 at 7:00 o'clock P.M., Eastern Standard 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 VIII

Stop and Yield Intersections

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

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CASTLEWOOD DRIVE	East-West	WEDGEWOOD DR.	Northbound	S.E. Corner

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

RICHARD M. MOLESKI  
Town Clerk

\*\*\*\*\*

Upon Roll Call....

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

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 \_\_\_\_ day of \_\_\_\_\_, 19\_\_, and ending on the 24 day of Jan, 1980

*James Charters*

Signed \_\_\_\_\_

Sworn to before me, on the 25 day of Jan, 1980

*Lillian A. Ansel*  
Notary Public

**LILLIAN A. ANSEL**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga has completed a sewer System Evaluation Survey for the Sanitary Sewer District No. 5 Service Area, certified jointly by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, January 2, 1979, to be in conformance with all State and Federal Regulations, outlining a program in sewer system rehabilitation, and

WHEREAS, such approval has resulted in the issuance of a Federal Grant, October 9, 1979 (C-36-323-03-0), to prepare the necessary plans and specifications to perform the program in Sewer System rehabilitation, and

WHEREAS, the United States Environmental Protection Agency on February 23, 1973, promulgated rules and regulations pertaining to such pollution abatement programs, requiring a public hearing to discuss the proposed work and environmental and financial impacts, NOW, THEREFORE, BE IT

RESOLVED that the Consulting Engineering firm of Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York 14202, is hereby authorized and directed to assist the Town in receiving and reviewing input at the required public hearing, and BE IT FURTHER

RESOLVED that the Town will notify those property owners whose area will be directly or indirectly affected by sewer repair work in the public right-of-way, through mailing of a prepared notice, and BE IT FURTHER

RESOLVED that a Public Hearing be held to discuss the proposed work, and environmental and financial impacts as required by the United States Environmental Protection Agency on Tuesday, February 26, 1980, at 7:00 Local Time at the Cheektowaga Central School Auditorium, 3600 Union Road, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to publish in the Buffalo Evening News, the Courier Express, the Examiner and the Cheektowaga Times, a Notice for Public Hearing, not less than 30 days prior to the date of the hearing and that the Town Clerk post conspicuously or cause to be posted conspicuously said Notice for a Public Hearing on the signboard of the Town, maintained pursuant to Subdivision 6 of Section 30 of the Town Law, not less than 30 days prior to the date fixed for such hearing, and BE IT FURTHER

RESOLVED that the Town Clerk secure proof of publication from said Buffalo Evening News, Courier Express, the Examiner and the Cheektowaga Times.

\* \* \* \* \*

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

PLEASE TAKE NOTICE THAT, in compliance with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga acting on behalf of the residential, commercial and industrial establishments within Sanitary Sewer Districts No. 2, 4, 5, 6, 7, 7 Extension 1 and 7 Extension 2 (termed the Sanitary Sewer District No. 5 Service Area), has called for a public hearing on the proposed sanitary sewer system rehabilitation with the hearing to be held Tuesday, February 26, 1980, at 7:00 P.M., at the Cheektowaga Central High School Auditorium, 3600 Union Road, Cheektowaga, New York.

This project shall initiate the first step in area-wide sewer system rehabilitation, improving the existing sanitary sewerage system.

In general, the project consists of excavation and replacement of approximately 10,000 feet of structurally defective sewer, excavation and replacement of approximately 315 private service laterals from the main sewer to the private property line within the public right-of-way and the pressure testing and sealing of approximately 30,000 feet of sewer.

This hearing is open to all. The public, all interested organizations, municipalities, environmental and conservation groups, planning agencies and others, are encouraged to speak for or against the project. The purpose of the meeting is to discuss the proposed work, and the environmental and financial impacts of the project.

Item No. 13 cont'd

Documents and Plans are available for inspection to all interested parties at the Town Engineer's Office, Town Hall, Broadway and Union Roads, Town of Cheektowaga, Monday through Friday, from 9:00 A.M. to 4:30 P.M., and at the office of the Consulting Engineers, Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, Monday through Friday 8:00 A.M. to 5:00 P.M., after Thursday, February 7, 1980.

If additional information is required, please contact the Engineering Department of Cheektowaga, whose telephone is 686-3447.

Written statements are welcome; however, verbal presentations will be noted and all given an opportunity to be heard at this hearing.

Please mail all statements to:

Chester L. Bryan, P.E.  
Town Engineer of Cheektowaga  
Broadway and Union Road  
Cheektowaga, New York 14227

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVITS - NEXT PAGE

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

*Gladys M. Decker*, 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..... *January 24, 1980* ..... ;  
last publication..... *January 24, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Decker*.....

Sworn to before me this ..... *25th* .....

day of ..... *January* ....., 19..... *80* .....

..... *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

### PUBLIC NOTICE

#### PLEASE TAKE NOTICE THAT,

in compliance with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga, acting on behalf of the residential, commercial and industrial establishments within Sanitary Sewer Districts No. 2, 4, 5, 6, 7, 7 Extension 1 and 7 Extension 2 (termed the Sanitary Sewer District No. 5 Service Area), has called for a public hearing on the proposed sanitary sewer system rehabilitation with the hearing on the proposed sanitary sewer system rehabilitation to be held Tuesday, February 26, 1980, at 7:00 P.M. at the Cheektowaga Central High School Auditorium, 3600 Union Road, Cheektowaga, New York.

This project shall initiate the first step in area-wide sewer system rehabilitation, improving the existing sanitary sewerage system.

In general, the project consists of excavation and replacement of approximately 10,000 feet of structurally defective sewer, excavation and replacement of approximately 315 private service laterals from the main sewer to the private property line within the public right-of-way, and the pressure testing and sealing of approximately 30,000 feet of sewer.

This hearing is open to all. The public, all interested organizations, municipalities, environmental and conservation groups, planning agencies and others, are encouraged to speak for or against the project. The purpose of the meeting is to discuss the proposed work, and the environmental and financial impacts of the project.

Documents and plans are available for inspection to all interested parties at the Town Engineer's Office, Town Hall, Broadway and Union Roads, Town of Cheektowaga, Monday through Friday, from 9:00 A.M. to 4:30 P.M., and at the office of the Consulting Engineers, Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, Monday through Friday 8:00 A.M. to 5:00 P.M., after Thursday, February 7, 1980.

If additional information is required, please contact the Engineering Department of Cheektowaga, whose telephone number is 686-3447.

Written statements are welcome; however, verbal presentations will be noted and all given an opportunity to be heard at this hearing.

Please mail all statements to: Chester L. Bryan, P.E., Town Engineer of Cheektowaga, Broadway and Union Road, Cheektowaga, New York 14227.



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

*Gladys M. Nestete*, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is *Chief* of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for *1* weeks; first publication *January 24, 1980*; last publication *January 24, 1980*; and that no more than six days intervened between publications.

STATE OF NEW YORK  
 Erie County, City of Buffalo, } ss.

Sworn  
 day  
 Not

**PUBLIC NOTICE**  
 PLEASE TAKE NOTICE THAT, in compliance with the United States Environmental Protection Agency's Rules and Regulation, the Town of Cheektowaga, acting on behalf of the residential, commercial and industrial establishments within Sanitary Sewer Districts No. 1, 4, 5, 6, 7, Extension 1 and 2 (formed the Sanitary Sewer District No. 5 Service Area) has called for a public hearing on the proposed sanitary sewer rehabilitation with the hearing on the proposed sanitary sewer system rehabilitation with the hearing to be held Thursday, February 26, 1980, at 7:00 P.M. at the Cheektowaga Central High School Auditorium, 3600 Union Road, Cheektowaga, New York.

This project shall include the first step in area-wide sewer system rehabilitation, improving the existing sanitary sewerage system. In general, the project consists of excavation and replacement of approximately 15,000 feet of structurally defective sewer, renovation and replacement of approximately 200 private service laterals from the main sewer to the private property line within the public right-of-way, and the pressure testing and sealing of approximately 10,000 feet of sewer.

This hearing is open to all. The public, all interested organizations, municipalities, environmental and conservation groups, planning agencies and others, are encouraged to speak for or against the project. The purpose of the meeting is to discuss the proposed work, and the environmental and financial impacts of the project.

Documents and plans are available for inspection to all interested parties at the Town Engineer's Office, Town Hall, Broadway and Union Roads, Town of Cheektowaga, Monday through Friday, from 9:00 AM to 4:30 PM, and at the office of the Consulting Engineers, Nussbaumer & Clarke, Inc., 210 Delaware Avenue, Buffalo, New York, Monday through Friday 9:00 AM to 5:00 PM, after Thursday, February 7, 1980.

If additional information is required, please contact the Engineering Department of Cheektowaga, whose telephone number is 688-3147.

Written statements are welcome; however, verbal presentations will be noted and all given an opportunity to be heard at the hearing.

Please mail all statements to:  
 Chester L. Bryan, P.E.  
 Town Engineer of Cheektowaga  
 Broadway and Union Road  
 Cheektowaga, New York 14227

*Alice Anderson*

of the City of Buffalo, being duly sworn, deposes and says, that he is chief clerk in the office of BUFFALO COURIER-EXPRESS a daily newspaper published in said City, that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein *once* a week for *1* weeks the first insertion being on the *26* day of *January* 19 *80* and the last insertion being on the *26* day of *January*, 19 *80*, and not more than *1* days intervened between any two publications thereof.

*Alice Anderson*

Sworn before me this *30* day  
 of *January* 19 *80*

*S. Ras*  
 Notary Public, Erie County, N.Y.

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 Jan, 1980 and ending on the 24 day of 1, 1980

*James Charters*

Signed \_\_\_\_\_

Sworn to before me, on the 25 day of Jan, 1980

*Lillian A. Ansel*  
Notary Public

LILLIAN A. ANSEL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT, in compliance with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga, acting on behalf of the residential, commercial and industrial establishments within Sanitary Sewer Districts No. 2, 4, 5, 6, 7, 7 Extension 1 and 7 Extension 2 (termed the Sanitary Sewer District No. 5 Service Area), has called for a public hearing on the proposed sanitary sewer system rehabilitation with the hearing on the proposed sanitary sewer system rehabilitation with the hearing to be held Tuesday, February 26, 1980, at 7:00 P.M. at the Cheektowaga Central High School Auditorium, 3600 Union Road, Cheektowaga, New York.

This project shall initiate the first step in area-wide sewer system rehabilitation, improving the existing sanitary sewerage system.

In general, the project consists of excavation and replacement of approximately 10,000 feet of structurally defective sewer, excavation and replacement of approximately 315 private service laterals from the main sewer to the private property line within the public right-of-way, and the pressure testing and sealing of approximately 30,000 feet of sewer.

This hearing is open to all. The public, all interested organizations, municipalities, environmental and conservation groups, planning agencies and others, are encouraged to speak for or against the project. The purpose of the meeting is to discuss the proposed work, and the environmental and financial impacts of the project.

Documents and plans are available for inspection to all interested parties at the Town Engineer's Office, Town Hall, Broadway and Union Roads, Town of Cheektowaga, Monday through Friday, from 9:00 AM to 4:30 PM, and at the office of the Consulting Engineers, Nussbaumer & Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, Monday through Friday 8:00 AM to 5:00 PM, after Thursday, February 7, 1980.

If additional information is required, please contact the Engineering Department of Cheektowaga, whose telephone number is 686-3447.

Written statements are welcome; however, verbal presentations will be noted and all given an opportunity to be heard at this hearing.

Please mail all statements to:

Chester L. Bryan, P.E.  
Town Engineer  
of Cheektowaga  
Broadway and Union Road  
Cheektowaga, New York 14227

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 Jan, 1980 and ending on the 24 day of 1, 1980

James Charters  
Signed \_\_\_\_\_  
Sworn to before me, on the 25 day of Jan, 1980  
[Signature]  
Notary Public

**State of New York** }  
**ERIE COUNTY** }  
**CITY OF BUFFALO** }

**PUBLIC NOTICE**  
PLEASE TAKE NOTICE THAT, in compliance with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga, acting on behalf of the residential, commercial and industrial establishments within Sanitary Sewer Districts No. 2, 4, 5, 6, 7, 7 Extension 1 and 7 Extension 2 (together the Sanitary Sewer District No. 5 Service Area), has called for a public hearing on the proposed sanitary sewer system rehabilitation with the hearing to be held Tuesday, February 26, 1980, at 7:00 P.M. at the Cheektowaga Central High School Auditorium, 3000 Union Road, Cheektowaga, New York.  
This project shall initiate the first step in area-wide sewer system rehabilitation, improving the existing sanitary sewerage system.  
In general, the project consists of excavation and replacement of apparatus, the exterior and fire-resistant core with a gunite substance on layers, a polyurethane foam domes will be made up of three THE SHELL of Global Dome  
...  
... It will be seamed together. It can be assembled on ... will be already formed into segments and can be assembled on ... controlled environment. The foam  
Friday, January 25, 1980

D. Eileen Perry  
of the City of Buffalo, New York, being duly sworn, deposes and says that she is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO EVENING NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein once ~~annexed to~~ XXXXXX ~~XXXXXX~~ XXXXXX insertion being on the 25th day of January 1980 ~~and the last~~ XXXXXX ~~XXXXXX~~ XXXXXX

D. Eileen Perry

Sworn to before me this 28th day  
of January 1980  
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

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 Jan, 1980 and ending on the 24 day of 1, 1980.

James Charters  
Signed \_\_\_\_\_  
Sworn to before me, on the 25 day of Jan, 1980  
Francis X. Vollmer Jr.  
Notary Public

**State of New York**  
ERIE COUNTY  
CITY OF BUFFALO

**PUBLIC NOTICE**  
PLEASE TAKE NOTICE THAT, in compliance with the United States Environmental Protection Agency's Rules and Regulations, the Town of Cheektowaga, acting on behalf of the residential, commercial and industrial establishments within Sanitary Sewer Districts No. 2, 4, 5, 6, 7, 7 Extension 1 and 7 Extension 2 (termed the Sanitary Sewer District No. 5 Service Area), has called for a public hearing on the proposed sanitary sewer system rehabilitation with the hearing to be held Tuesday, February 26, 1980, at 7:00 P.M. at the Cheektowaga Central High School Auditorium, 3600 Union Road, Cheektowaga, New York.  
This project shall initiate the first step in area-wide sewer system rehabilitation, improving the existing sanitary sewerage system.  
In general, the project consists of excavation and replacement of approximately 10,000 feet of structurally defective sewer, excavation and replacement of approximately 315 private service laterals from the main sewer to the private property line within the public right-of-way, and the pressure testing and sealing of approximately 30,000 feet of sewer.  
This hearing is open to all. The public, all interested organizations, municipalities, environmental and conservation groups, planning agencies and others, are encouraged to speak for or against the project. The purpose of the meeting is to discuss the proposed work, and the environmental and financial impacts of the project.  
Documents and plans are available for inspection to all interested parties at the Town Engineer's Office, Town Hall, Broadway and Union Road, Town of Cheektowaga, Monday through Friday, from 9:00 AM to 4:30 PM, and at the office of the Consulting Engineers, Nussbaumer & Clark, Inc., 310 Delaware Avenue, Buffalo, New York, Monday through Friday 9:00 AM to 5:00 PM, after Thursday, February 7, 1980.  
If additional information is required, please contact the Engineering Department of Cheektowaga, whose telephone number is 688-3447.  
Written statements are welcome; however, verbal presentations will be noted and all given an opportunity to be heard at this hearing.  
Please mail all statements to:  
CHESTER L. BRYAN, P.E.  
Town Engineer of Cheektowaga  
Broadway and Union Road  
Cheektowaga, New York 14227

D. Eileen Perry  
of the City of Buffalo, New York, being duly sworn,  
deposes and says that she is Principal Clerk  
of the BUFFALO EVENING NEWS, INC.,  
Publisher of the BUFFALO EVENING NEWS, a  
newspaper published in said city, that the notice of  
which the annexed printed slip taken from said  
newspaper is a copy, was inserted and published  
therein once ~~at week for XXXXXXXXXXXX~~  
~~XXXXXX~~ weeks, the first insertion being on the 25th  
day of January 19 80 ~~and the last~~  
~~insertion being on the XXXXXXXX day of XXXXXX 19 XXXX~~  
D. Eileen Perry

Sworn to \_\_\_\_\_  
of \_\_\_\_\_  
\_\_\_\_\_ 28th \_\_\_\_\_ day \_\_\_\_\_ 80  
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

Item No. 14 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Town efforts to reduce sanitary sewer inflow are dependent on the minimizing of street flooding, and

WHEREAS, maximum use of the existing storm sewer system can only be accomplished by a storm sewer cleaning system, and

WHEREAS, the Town Engineering Department is requesting that storm sewer cleaning work be contracted in order to fully utilize the existing Town storm sewer system, and

WHEREAS, this program of storm sewer cleaning will be funded from Federal Revenue Sharing, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders for the furnishing of all tools, equipment, labor and appurtenances for storm sewer cleaning work for the year of 1980, in accordance with specifications prepared by the Town of Cheektowaga Engineering Department, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Local Time, on the 4th day of February, 1980 at the Town Hall, corner of Broadway and Union Road, 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.

\* \* \* \* \*

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 February 4, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for storm sewer cleaning work at various locations in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: January 21, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Dechter*, 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..... *January 24, 1980* .....;  
last publication..... *January 24, 1980* .....;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Dechter*.....

Sworn to before me this ..... *25th* .....

day of ..... *January* ....., 19. *80* .....

..... *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 on February 4, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, for storm sewer cleaning work at various locations in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Sewer Cleaning Work" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: January 21, 1980



Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for drainage projects in the Town of Cheektowaga, and

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said drainage work, notice to be published in THE EXAMINER, and BE IT FURTHER

RESOLVED that the Town Board meet on the 25th day of February, 1980 at 7:00 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 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 on February 25th, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the furnishing of equipment and operators for drainage projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for the Furnishing of Equipment and Operators for Drainage Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best 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: January 21, 1980

\* \* \* \* \*

Upon Roll Call....

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

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 Feb., 1980, and ending on the 7 day of Feb., 1980

*James Charters*

Signed

Sworn to before me, on the 7 day of Feb., 1980

*Lillian A. Ansel*  
Notary Public

**LILLIAN A. ANSEL**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

#### NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 25th, 1980 at 7:00 PM, Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the furnishing of equipment and operators for drainage projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for the Furnishing of Equipment and Operators for Drainage Projects" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

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

Item No. 16 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga is in need of material for one pre-fab metal building, and

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 Building, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 4th day of February, 1980, at 7:00 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 February 4, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of material for a pre-fab metal building for 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.

RICHARD M. MOLESKI  
Town Clerk

DATED: January 21, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Secrete*, 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..... *January 24, 1980* ..... ;  
last publication..... *January 24, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Secrete*.....

Sworn to before me this ..... *25<sup>th</sup>* .....

day of ..... *January* ....., 19 *80* .....

..... *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 on February 4, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of material for a pre-fab metal building for 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.

**RICHARD M. MOLESKI**

Town Clerk

DATED: January 21, 1980

Item No. 17 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, bids were duly received on December 17, 1979, as the result of advertisement by the Town Clerk for the furnishing of Dimensional Lumber for the Town of Cheektowaga for the year, 1980, and said bids were referred to the Facilities Department for analysis, tabulation and report, and said tabulation is attached hereto and contained in a letter to the Town Board dated January 10, 1980, NOW, THEREFORE, BE IT

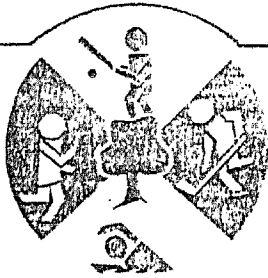
RESOLVED that the contract for the furnishing of Dimensional Lumber for the Town of Cheektowaga for the year 1980, as per said price and as recommended by the Facilities Department, be awarded to the lowest bidders, who are:

Items I and III - Frontier Lumber  
1941 Elmwood Avenue  
Buffalo, New York 14207

Item II - Forest Materials  
1665 Harlem Road  
Cheektowaga, New York 14225

\* See next three (3) pages for letter and tabulation

James J. Matecki  
Director of Parks



TOWN OF CHEEKTOWAGA  
RECREATION CENTER  
2600 Harlem Road  
CHEEKTOWAGA, N. Y. 14224  
Phone: 891-6011

January 7, 1980

Kenneth J. Meyers, Supervisor  
Honorable Town Board Members

Gentlemen:

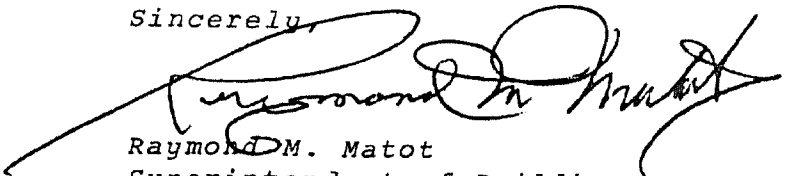
I wish to recommend that the Bid for Dimensional Lumber for the Town of Cheektowaga for the year, 1980, be awarded as follows:

ITEMS I and III	-	Frontier Lumber 1941 Elmwood Ave. Buffalo, New York 14207
ITEM II	-	Forest Materials Inc. 1665 Harlem Rd. Cheektowaga, New York 14225

Knu-Co Roofing and Siding Construction Co., Inc. withdrew their Bid due to the pricing of lineal foot instead of board foot price. In doing this, his price would have been below his cost.

Attached, please find tabulation sheet.

Sincerely,

  
Raymond M. Matot  
Superintendent of Buildings

RMM  
Enc.  
file 1



DESCRIPTION	Frontier Lumber	Forest materials	Knew-Co. Roofing & Siding
A - 2" x 4"	B.F. 410.00M	405.00M	210.00M X
B - 2" x 6"	B.F. 435.00M	450.00M	370.00M X
C - 2" x 8"	B.F. 410.00M	477.50M	520.00M
D - 4" x 4"	B.F. 525.00M	637.50M	860.00M
E - 6" x 6"	B.F. 650.00M	683.50M	2090.00M
F - 8" x 8"	B.F. <del>900.00M</del>	total	412.00M total
G - Tongue & Groove	B.F. 395.00M	ASST. 780.00M	total
H - 1" x 3" & 1" x 12"	B.F. 775.00M	780.00	1650.00M \$6119.00
I - 1" x 12" R.W.	1.92 PLF	1.95 PLF	2.15 PLF
J - 2" x 12" R.W.	3.82 PLF	3.60 PLF	4.716 PLF
K - 2" x 3" Furring	.085 PLF	.10 PLF	.02 PLF X
L - 2" x 4" #3	B.F. 370.00M	.17 PLF & 255 BFM	.06 PLF
M - 2" x 6" #3	B.F. 270.00M	.27 PLF & 270 BFM	.135 PLF

PLYWOOD - DESCRIPTION	Frontier Lumber	Forest materials	Knew-Co. Roofing & Siding
"A" 1. CDX - 3/8" x 4' x 8'	7.95 each	7.75 each	8.50 each
2. CDX - 1/2" x 4' x 8'	9.95 each	10.20 each	11.70 "
3. CDX - 5/8" x 4' x 8'	12.75 each	12.40 each	14.50 "
4. CDX - 3/4" x 4' x 8'	15.35 each	14.20 each	15.91 "
"B" 1. AD - 3/8" x 4' x 8'	14.05 each	13.68 each	8.30 " X
2. AD - 1/2" x 4' x 8'	16.80 each	15.85 each	9.41 " X
3. AD - 5/8" x 4' x 8'	19.15 each	18.85 each	11.56 " X
4. AD - 3/4" x 4' x 8'	20.40 each	21.95 each	12.35 " X
"C" 1. AC - 3/8" x 4' x 8'	14.70 each	13.68 each	12.68 "
2. AC - 1/2" x 4' x 8'	17.50 each	16.12 each	14.64 " <b>Lowest</b>
3. AC - 5/8" x 4' x 8'	20.40 each	19.20 each	18.78 " <b>PRICE</b>
4. AC - 3/4" x 4' x 8'	—	—	—
ITEM III "A" NOVA Board Or Equal	—	—	—
1 1/2 x 4 x 8	12.25 each	11.52 each	8.30 each
2 3/4 x 4 x 8	12.15 each	11.52 each	8.30 each

Item I

Item II

Item III

Lowest Price

Lowest Price

need labor cost  
 1200 WITH-DREW BID

"A" CDX = 3/8" x 4'		1112	1111				
2. CDX - 3/8" x 4' x 8'		9.95 each	10.20 each			11.70	
3. CDX - 5/8" x 4' x 8'		12.75 each	12.40 each			14.50	"
4. CDX - 3/4" x 4' x 8'	Item II	15.35 each	14.20 each			15.91	"
"B" 1. AD - 3/8" x 4' x 8'		14.05 each	13.68 each			8.30	" X
2. AD - 1/2" x 4' x 8'		16.80 each	15.85 each			9.41	" X
3. AD - 5/8" x 4' x 8'		19.15 each	18.85 each			11.56	" X
4. AD - 3/4" x 4' x 8'		20.40 each	total 21.95 each	163.38		12.35	" X
"C" 1. AC - 3/8" x 4' x 8'		14.70 each	13.68 each			12.68	"
2. AC - 1/2" x 4' x 8'		17.50 each	16.12 each			14.64	"
3. AC - 5/8" x 4' x 8'		20.40 each	19.20 each			18.78	"
4. AC - 3/4" x 4' x 8'		—				—	
ITEM III "A" NOVA Board Or Equal							
1. 1/2 x 4 x 8	Item	12.25 each	11.52 each			8.30	each
2. 3/4 x 4 x 8		13.15 each	12.16 each			12.35	
3. 1 x 4 x 8		19.50 each	22.40 each			19.40	
"B" PARTICLE Board Underlay							
1. 1/2 x 4 x 8	Item III	5.95 each	7.90 each			6.69	
2. 3/4 x 4 x 8		8.95 each	7.60 each	60.30		8.98	
3. 1 x 4 x 8		Not available	20.90 each			63.58	12.39 X
Lowest Price							

Frontier Lumber Co  
 1112 CDX WITH-D  
 1111 CDX WITH-D

Lowest Bidders: ITEM-I & III FRONTIER LUMBER  
 ITEM-II ——— FOREST LUMBER

Item No. 17 cont'd

Upon Roll Call....

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

Item No. 18 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the long range solution to the drainage problems at Fairelm and Rosemead is the construction of a storm sewer along the rear properties on , Fairelm, NOW, THEREFORE, BE IT

RESOLVED that the Engineering Department is directed to prepare easement descriptions for the properties involved in the desired storm sewer project, and BE IT FURTHER

RESOLVED that the Town Attorney is directed to prepare the necessary legal papers for obtaining the requisite easements for said drainage project.

Upon Roll Call....

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

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

WHEREAS, this Town Board is pursuing a course of reduction of inflow and infiltration into the Town sanitary sewer system, and

WHEREAS, the Board of Fire Commissioners of Walden Fire District No. 2 wants to cooperate in inflow reduction by removal of roof and sub-surface drains from the Rescue Fire Hall located at 20 Pine Ridge Road and conducting said waters to a storm sewer, and

WHEREAS, the construction of a storm sewer on Euclid Avenue, a distance of approximately 220 feet north of Walden Avenue, and connected to the proposed Walden Avenue storm sewer system will provide the means for conducting the sanitary sewer inflows from said fire hall, NOW, THEREFORE, BE IT

RESOLVED that this Town Board authorizes the construction of said storm sewer on Euclid Avenue using Revenue Sharing Funds in cooperation with the Walden Fire District No. 2 for sanitary sewer inflow correction, and BE IT FURTHER

RESOLVED that a copy of this resolution be forwarded to the Board of Fire Commissioners of Walden Fire District No. 2.

Upon Roll Call....

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

Item No. 20 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, funds in the amount of \$100,000 have been allocated in the Town of Cheektowaga's 1979-80 Community Development Block Grant application for the establishment of a housing rehabilitation loan/grant program, and

WHEREAS, the Town's 1979-80 Community Development Block Grant application has been approved by the U.S. Department of Housing and Urban Development, and

WHEREAS, the purpose of the housing rehabilitation loan/grant program is to provide low-interest loans and/or grants to income eligible homeowners residing in one of the Town's four designated Neighborhood Improvement Areas, and

Item No. 20 cont'd

WHEREAS, local financial institutions will be required to provide services and financial assistance in conjunction with said loan/grant program, NOW, THEREFORE, BE IT

RESOLVED that Stuart Alexander, the Town's Planning Consultant, and Jerry Gabryszak, Town Community Development Coordinator, be and hereby are authorized to negotiate with local financial institutions for the purpose of obtaining their participation in said loan/grant program, and BE IT FURTHER

RESOLVED that subsequent to said negotiations, a report be submitted to the Town Board outlining the most favorable proposals and alternatives.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of: St. John Gualbert's Parish, located at 83 Gualbert Avenue, Cheektowaga; Our Lady of Czestochowa Parish, located at 23 Willowlawn Pkwy., Cheektowaga; Maryvale Drive Presbyterian Church, located at 425 Maryvale Dr., Cheektowaga; and Infant of Prague Parish, located at 921 Cleveland Dri., Cheektowaga, and

WHEREAS, an agreement between the Town of Cheektowaga and the above churches has been drafted relative to the operation of the said nutrition program for the year 1980, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign the said agreement on behalf of the Town of Cheektowaga.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 22 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is desirous of entering a Joint Powers Agreement by and between the Town of Cheektowaga, County of Erie, Town of Tonawanda, and the City of Buffalo, establishing the Buffalo and Erie County Private Industry Council, Inc., to apply for funds under Title VII of the CETA Act of 1973, for the implementation of CETA Training Programs and involvement of the Private Sector in economic development efforts in Erie County, and

WHEREAS, said agreement has been reviewed and approved, NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Meyers, Supervisor be and hereby is authorized to execute said Joint Powers Agreement and any and all documents required by the Department of Labor to implement the above program.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Sections of Harlem Road, a State Highway, and the Harlem Road-William Street intersection are scheduled to undergo reconstruction during the course of the next two to three years, and

WHEREAS, said reconstruction project will serve to alleviate traffic congestion and safety hazards which presently exist, and

WHEREAS, traffic congestion is especially predominant on Harlem Road at William Street due to the large number of vehicles executing left hand turns from Harlem Road unto William Street, NOW, THEREFORE, BE IT

RESOLVED that in order to alleviate said traffic congestion at the Harlem Road-William Street intersection, pending the completion of the State's Harlem Road reconstruction project, the Town Board hereby memorializes the New York State Department of Transportation to install an advance green light with a left-hand turning arrow on Harlem Road, southbound at William Street, and BE IT FURTHER

RESOLVED that copies of this resolution be forwarded to the New York State Department of Transportation, State Senator Dale Volker, State Assemblyman Dennis Gorski and Governor Hugh Carey.

Upon Roll Call....

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

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

BE IT RESOLVED that the Erie County Department of Public Works, Highway Division, be and hereby is requested to move the westerly driveway cut of the Plaza located on the northeast corner of Cleveland Drive and Century Road at its entrance to Cleveland Drive farther to the east, or in the alternative to close said driveway completely because of tis close proximity to the intersection of Cleveland Drive and Century Road, and BE IT FURTHER

RESOLVED that the Town Clerk forward a certified copy of this resolution to the Erie County Department of Public Works, Highway Division.

Upon Roll Call....

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

\* \* \* \* \*

At this time, the Supervisor announced that Item No. 51 be acted on now. This Town Board unanimously approved this move.

\* \* \* \* \*

Item No. 51 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga, in June of 1979, memorialized the County of Erie to assume a leadership role in studying solid waste problems, and developing and implementing a solid waste management program for Erie County, and

WHEREAS, an Erie County Solid Waste Steering Committee has been established for such purposes, and

WHEREAS, the Town of Cheektowaga has been informed that the estimated cost for conducting a study and preparing a solid waste action plan is \$150,000, and

Item No. 51 cont'd

WHEREAS, the County of Erie has received \$50,000 in State Aid and \$50,000 in In-Kind contributions from Cheektowaga and other local municipalities towards program and study costs, and

WHEREAS, the County Solid Waste Steering Committee has requested additional aid from Erie County communities in the amount of \$50,000, which is required to complete said study, NOW, THEREFORE, BE IT

RESOLVED that payment is hereby authorized in the amount of \$7,260 to the County of Erie, which is functioning as the administrative agent of the Committee, said amount reflecting Cheektowaga's share of the \$50,000 being requested, and BE IT FURTHER

RESOLVED that said payment will be provided by a transfer of funds from the Consolidated Garbage District Equipment-Truck Account (G8160.201) to the County Solid Waste Steering Committee Contribution Account (G8160.459).

Upon Roll Call....

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

See next 59 pages for details on next three items, namely Items No. 25, 26, & 27

Item No. 25 Terminate employee from position of Working Foreman in Sanitation

Motion by Supervisor Meyers, seconded by Councilman Swiatek to table the above resolution.

Upon Roll Call....

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

Item No. 26 Appointment to position of Working Foreman in the Sanitation Dept.

Motion by Councilman Wegner, seconded by Councilman Johnson to table the above resolution.

Upon Roll Call....

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

Item No. 27 Terminate employee from position of 1st Deputy Town Attorney

Motion by Supervisor Meyers, seconded by Councilman Swiatek to table the above resolution.

Upon Roll Call....

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

ITEM NO. 25: Terminate employee from position of Working Foreman in Sanitation Department.

MR. MOLESKI: Item 25, eliminate employee from position of Working Foreman in the Sanitation Department, which was moved by Councilman Burst, seconded by Councilman Johnson. "Be it resolved that Ronald Zoeller be and hereby is terminated from the position of Working Foreman in the Sanitation Department."

SUPERVISOR MEYERS: Want to speak on the motion, on the second?

COUNCILMAN BURST: No.

SUPERVISOR MEYERS: Well, I would like to speak on it. The reason I moved Item 51 up and I'm glad we reviewed the seriousness of our solid waste problems, we have a man who's been serving on that committee who's saved money in the budget, has redone and re-streamlined the whole department to a point of cutting taxes and beginning a better operation. We have him being selected as a chairman for long range solutions which I think will come down the road very shortly. We're talking about that in one breath of our needs and yet, we are now attempting to remove that individual from that position. I find that very difficult to understand that if a man is doing his job, has been doing the job, has been holding the line in the budget, has been organizing the situation, maybe expecting our men in the Sanitation Department to do a little bit more and maybe that's why - -

(Audience interruption.)

SUPERVISOR MEYERS:           And maybe that's the reason.  
But I think he's operated in  
the best interest of the  
public.

COUNCILMAN SWIATEK:        Mr. Supervisor, I just think  
that the Board members, the  
balance of the Board members  
are entitled to know why this resolution was filed.

MRS. MAYER:                I'd like to know too as a  
taxpayer.

COUNCILMAN JOHNSON:       Very simply - -

COUNCILMAN BURST:         Let me - - my opinion, Mr.  
Swiatek, I worked for the Town  
for thirteen years prior to  
being on the Town Board which was four years ago.  
Seventeen years ago I started working here. When I  
started working for the Town, we picked up garbage  
in open trucks. Then they came to chain drive  
packers. They didn't compact it at all. The  
Sanitation Department started to change. They went  
to 20 yard compacting trucks back in 1964 and, for  
a period of years, we had those types of vehicles.

In 1973, I believe, we bought  
our first diesel trucks with automatic transmissions  
because of breakdowns with the standard shift and  
excessive fuel use and so on and so forth. We bought  
a heavier type compactor, a 25 yard compactor in 1973.  
I think we bought three of them.

In 1974, we bought four more - -  
wait a minute - - '75, excuse me, '75 we bought three  
of those trucks. In '75 they ordered another three or  
four trucks. So I've seen the change in that depart-  
ment over the last seventeen years. I don't care who



heads that department, it's going to change with the times and, as the times change, the department's going to change. In my personal opinion, things like container pickup, one box on the back of a truck going back and forth was an outdated thing and had to go. I think everyone who applied for the position made comments on that. The 25 yard compactors were in use in this Town prior to myself being on this Town Board and prior to Zoeller being the working foreman in the Sanitation Department. As the trucks grew bigger and the container pickup was eliminated, the manpower needs dropped, we, I believe, we cut back almost one third in our equipment in that department because of the container pickup. And I see the change in the department coming in changing times. As time went on, equipment approved and methods of pickup of garbage changed. These people used to pick up ashes in the morning and now we're into solid waste, something that wasn't 10, 15 years ago.

My opinion is that it's an administrative opinion on my part, I have a vote as a Town Board member, and I moved this resolution. The rest of the members of this Board can vote any way they feel.

COUNCILMAN WEGNER: If I may just say something, two weeks ago I maintained the position which I still do and Mr. Zoeller and all the people that you want to replace never once were called in to tell, as a Town Board, to discuss any problems that we're having with them and, Mr. Johnson, you made a good point before stating the Town Board is the one that should be involved. Well, I contacted Mr. Zoeller. I did call Mr. Zoeller in and I told him where I thought that he was wrong and where we all felt that he was wrong and he told me a little story that he was hired as the Sanitation Foreman to pick up the garbage, that was the Town Board's problem to find out what's going to happen down the road and, you know, he's right, it is our problem and we didn't do it. We didn't do it. So we should be involved very heavily and we'll be involved

very heavily. But I cannot see firing someone without a reason or, at least, bringing him in, telling him why he's doing wrong and giving him a chance to improve, if he is doing wrong.

COUNCILMAN JOHNSON: Councilman, I just like to say this: Three months ago - - let's see now - - three months ago, when Mr. Wegner screamed for this man's job - -

COUNCILMAN WEGNER: That's a false lie.

COUNCILMAN JOHNSON: "We got to fire him."

COUNCILMAN WEGNER: That's a lie.

COUNCILMAN JOHNSON: Now, I'm simply saying that for whatever reasons Mr. Wegner may have had. But this last fall and, in fact, for the past year, this Town Board, members of this Town Board have screamed for information and screamed for involvement.

COUNCILMAN WEGNER: That's true.

COUNCILMAN JOHNSON: And this last fall we got far more involved than we ever would like to have been when we received a letter on each of our desks that within a few short days we would have no place to deposit our refuse.

Now, the simple fact is this; that under the conditions of the past year or so, and

the past three years, with the various problems we had in refuse in the Town, I think that we have the right to our individual judgments as to whether or not a change in administration is necessary and I think that that's my prerogative as a Board member to decide that we need a new administration and that we should move ahead with the various problems that have been presented to us. That's all.

COUNCILMAN WEGNER: First of all, Mr. Johnson, it's a lie.

(Audience interruption.)

COUNCILMAN WEGNER: I did not, three months ago, scream for his job. In fact, it wasn't too long ago, just before the sanitation problem before we got involved, that we were upstairs in our office with Mr. Zoeller going over several facts. And I said to you, in front of Mr. Zoeller - -

COUNCILMAN JOHNSON: In desperation going over facts.

COUNCILMAN WEGNER: Mr. Johnson - -

MRS. MAYER: You're sick.

COUNCILMAN WEGNER: To you, speaking to Mr. Zoeller, I said that Mr. Johnson appreciates intelligence and you said, "Yes, I do, Ron." That's the truth. And there's

no way that I screamed for his job. I was upset like everybody else when we got that letter, but I was upset when we got that letter and I too went to Ecology Environmental with you - -

COUNCILMAN JOHNSON: Ecology & Environment.

COUNCILMAN WEGNER: And asked if we could find a contract for \$10. Took it, did they not? Yes, they did.

COUNCILMAN BURST: They said \$8.

COUNCILMAN WEGNER: They said \$10, take it. And Mr. Johnson, we were also upstairs not too long after I got on this Board with Hooker Chemical, my first encounter with Hooker Chemical, and with Mr. Williams from KNU-CO and I can recall we could have had the contract for around \$8 or \$8.50. Is that not true?

COUNCILMAN JOHNSON: No.

COUNCILMAN WEGNER: And you - - yes, it is true. And you screamed bloody murder at those people.

COUNCILMAN JOHNSON: No.

COUNCILMAN WEGNER: You didn't even want to hear about those people.

COUNCILMAN JOHNSON: Mr. Wegner for some three weeks, we spent every evening involved in the problem of whether or not we would have a contract for refuse. It was during those meetings and after those meetings that the remarks that you had made were made.

COUNCILMAN WEGNER: Right.

COUNCILMAN JOHNSON: Relative to learning about our problem and recognizing our problem, it has been a progressive thing for the past - - at least the past year. Now that the Town Board is fully cognizant of this problem, it's my prerogative to look to a different administration.

COUNCILMAN WEGNER: But isn't it fair to call the man in and say - - talk to him and tell him where he's wrong?

COUNCILMAN JOHNSON: I think he's fully aware of the problems of refuse.

COUNCILMAN WEGNER: Mr. Voelle, who you, I think respect quite highly, he wrote an article in the paper about Mr. Zoeller and he respects him and that's why he picked him for the presidency of that group, that study group.

COUNCILMAN JOHNSON: Representative of the largest community in the study.

COUNCILMAN WEGNER: Now, you mean to tell me that

you don't even want to talk  
to this man?

COUNCILMAN JOHSON: I spoke to Mr. Voelle himself  
and the value is the effort  
continues, it has nothing to  
do with any particular member so long as this town  
stays involved.

SUPERVISOR MEYERS: Mr. Holtz, you had your hand  
up.

MR. HOLTZ: Benedict T. Holtz. Gentlemen,  
if I falter in my speech, you'll  
have to excuse me. I've con-  
tracted a terminal disease last year, so I'm up here  
on behalf of veterans. I'm a veteran myself. Only  
veterans will come out here to defend veterans. I  
served from '41 to almost '46. Yet that last Town  
Board meeting I find that veterans are being fired.

(Audience interruption.)

MR. HOLTZ: Well, I read in the paper - -  
I served for twenty-eight  
years and to read the paper  
that we have a Barnum & Bailey Circus and we've  
got it here this evening, well, now you - - I've  
heard that - - I heard two councilman up here that  
were asked to file some charge against Mr. Zoeller.  
There's no charge against Mr. Zoeller. Mr. Zoeller  
is not a superintendent. He's a working foreman.

(Audience interruption.)

MR. HOLTZ: You know, ladies and gentlemen, you could have politeness and allow someone to speak. How small can you get? You can't get any lower. You're down to the bottom because you have to prefer a charge against a veteran. Look, you can speak. There's a section where veterans and exempt firemen have some rights. Now, he's not a superintendent. He's not a supervisor. If you look - - the Town Board, all they have to do is look at their budget, look at the Town law. What's the Garbage Department? It's a special district, Consolidated Garbage District. It was I, at the request of the Union, that we only changed the name "Sanitation" because they didn't want to be called garbagemen. I didn't want to see them to be called garbagemen. So we changed that. Only on the surface. But the town law says a consolidated garbage district.

Now, someone told me that one of the reasons that you can fire Mr. Zoeller is that he prepares a budget. Well, take a good look at that budget. You'll find that he cannot even compile 99 per cent of that budget because when he prepares that budget, the salaries are exempt. He doesn't know what the cost of retirement is, social security, the insurance, paying off the bonds and interest. That all has to come from the supervisor. So who prepares the Sanitation budget, the supervisor does. He submits a preliminary budget to the Town Board. So that when he has supervision running a department, well, in order for him to run the department, he has to conform with the budget. He has no authority to do so. That's the fiscal officer's job. The Town Board adopts the budget. After it's adopted, then it's up to the supervisor to go ahead and administer that budget. So when I listen here about supervision, an excuse like "times change", well for goodness sake, they've changed for many years. The same thing with the town attorney. Forgot that he served in the armed forces. Yes, we're on the subject because he's a veteran, I'm up here in defense of veterans. So then you should defend him. You stand up here to defend him - - I'm up here to defend him - - I'll be through in just a moment. Because now I could become a little angry and I read at the last Town Board meeting

one word, "recall". And do you know that I researched that one word last week; I was to the Board of Elections. And I think you gentlemen should read Section 25 of the Municipal Home Law. I was looking for one precedent, but I couldn't find it. But I'll research it further. It might be interesting to find out what the people of the Town of Cheektowaga think of four councilman on this Town Board meetings, at these Town Board meetings, I'd like to find out myself.

(Audience interruption.)

MR. KENDALL:

Mr. Supervisor, my name is Kendall. I'm plant manager of Tri-Electronics and major stockholder of that company located in Cheektowaga, located on Cayuga Road across from the Buffalo Trap & Field in Cheektowaga. I'm here to defend the removal of anyone who has good leadership ability as a manager myself. I've associated with Ron Zoeller over the past several years and have seen him handle his job with all capabilities. The sign of a good supervisor, I'm told, is organize, deputize and supervise, and I've seen him at work handling his programs for the best interest of Cheektowaga.

Now, it's not only his department that I'm referring to. I also am a past county commander of the Veterans of Foreign Wars of Erie County. And I've been in the Veterans of Foreign Wars for thirty some odd years, since 1946. And I've been working with the Town of Cheektowaga since 1976 on their bicentennial and now recently their Patriotic Committee, volunteering my time as a citizen paying taxes in Cheektowaga, New York. And, incidentally, in Cheektowaga, we pay, with our little company, the last payment was \$5200 in real estate taxes and we have a school tax of over \$3000. And, incidentally, we don't have any children, Tri-Electronics that will ever go to school in Cheektowaga. But as a citizen, we realize, in order to have a community, you must have revenue in order to support that community



and, therefore, we're proud to have the privilege to pay those taxes to support this community.

I'm also interested to see those taxes are spent properly as a manager, and that's why I'm supporting Ron Zoeller in his job that he now holds. Again, I reiterate, I'm a past County Commander of Veterans of Foreign Wars, presently in the position of Chairman of the City, Town and Country for Erie County Veterans of Foreign Wars representing some 9000 veterans and coordinating the action between our county unit and all the towns in Erie County.

Working with Ron Zoeller on your Patriotic Committee, which I've seen grow over the last two 4th of Julys to have over 10,000 people come out on the 4th of July to celebrate our country's birthday is a great and wonderful thing for me to do. Now, I'm against, and I'm here for this reason, any veteran from being removed from any office for any reason except found reasons, if he has committed a crime or an injustice and he's properly brought before the body and he's wrong, then I'm for removing him. But if he hasn't, I think it's a great injustice.

Now, I want to address a few remarks to Councilman Rogowski. Councilman Rogowski - -

(Audience interruption.)

MR. KENDALL: Ladies and gentlemen, I think I spent until 12:30 at night listening to you last time. You can spend five minutes listening to me.

(Audience interruption.)

MR. KENDALL: I was at the last Town Board meeting here. Councilman Rogowski, I recall meeting you several years ago, many times during public functions in Sloan. And I made it a point as I go into the communities to do a little investigation about the people that are leading that community. I find that you are not only a professional man, but you're a teacher of children, and I'm wondering how you can go back to your students and tell them that you remove a veteran that fought honorably for this Town without a just cause. I would hope that you would reconsider your position for our mutual interests.

Now, I want to state right here in Cheektowaga there is something like three to four thousand people to belong to the Veterans of Foreign Wars, the American Legion, the AMVETS or any bonafide veterans organization right here in town. Coupled with their spouse, you're looking at around six to seven thousand votes. Now, I'm not going to try to convince you that I'll convey to them my feelings in this matter and they'll all vote against you gentlemen. I wouldn't be silly enough to try to do that. But I'll tell you the bottom line of it: That at the end, there would be at least one or two thousand that will be voting against you if any veteran, be it town justice or any position, is removed without just cause.

(Audience interruption.)

MR. KENDALL: In closing - -

COUNCILMAN DUX: Can I ask you a question on the same thing?

MR. KENDALL: I'll be glad to give equal time.

COUNCILMAN DUX: I don't want equal time.  
May I ask you a question?

MRS. MAYER: Wait until he's finished.

MR. KENDALL: I'll just be a minute.  
I'd like to address Tommy  
Johnson over here, Councilman.

When I came out of the service in 1946, I asked my father, I said, "Dad, what party do I belong to", and he said, "Son, you look at the Democrats and the Republicans and you investigate their platforms and see in our community - -" And, incidentally, I was born and brought up in East Lovejoy, just the other side of the railroad tracks, on the other side of Sloan - - "And you can determine for yourself, which one you'll feel more comfortable in." I joined the Republican party and have been a Republican ever since. Now, I know that is a grass root level, may move to another community and I could see that the Democratic party would be something that would serve me on the grass root level and I would become a Democrat. But I don't think it's proper, and it's my opinion, that we should, in the Republican Party, put our faith and trust in a man and give him the position as a leader in our community and wake up some morning and find out he's a Democrat, because I think in that particular case, I know he's destroyed all the faith and confidence that we placed in him in that position that he held as a Republican and now I don't know what the Democrats are thinking about, but perhaps they could use his services, I don't know. But I know there's always a possibility that we could have other parties ruling in the community such as the Communist Party and he might move to that party because it would further his best interests. In other words, we don't know what we have as a leader. Now - -

(Audience interruption.)

MR. KENDALL: They are the facts as I see them. Again, I re-iterate, I'm looking for a good solid two-party system, a man that believes in the Republican Party and a man that believes in the Democratic Party, and you can't serve - - one man can't serve two masters, it's impossible.

I'll reiterate, in closing, we're against Veterans - - the Veterans of Foreign Wars are against any veterans being removed from office for unjust reasons. Now, Councilman Dux.

COUNCILMAN DUX: Mr. Kendall, thank you, that was a very nice speech. I happen to be a veteran from the Korean War. I'm a proud member of the Leonard Post, VFW Post, also a proud member of the Lampp Post in Amherst, which happens to be close to my place of residence. All right. I'm not discriminating anything against the veterans, all right? I feel it's an economical move to make my decision and I'm just wondering if, and I show my membership for each place that I belong to, look, I'm just wondering if Mr. Zoeller is a veteran also inclined to be a member of an American Legion Post or a VFW Post, do you know?

MR. KENDALL: We don't force anybody to join our organizations.

COUNCILMAN DUX: I did not say for you to force anybody. I happen to be a good member and interested in any veterans affairs.

MR. KENDALL: In answer to that, you also are supporting the July 4th program, the Patriotic Committee Program. I don't see you over there.

COUNCILMAN DUX: Does it have anything to do with his job? I think you're getting off the subject. I'm concerned about the Sanitation Department.

(Audience interruption.)

COUNCILMAN ROGOWSKI: Mr. Supervisor, Mr. Supervisor, Mr. Kendall - -

SUPERVISOR MEYERS: Jake, hold it a minute, please. Councilman, you want to say something?

COUNCILMAN ROGOWSKI: Mr. Bakowski, would you allow me one or two minutes to respond to Mr. Kendall's remarks, seeing that he brought my name into this? There were a number of things mentioned by Mr. Kendall and Mr. Holtz relative to Mr. Zoeller. Certainly his title, or the title of his position, is working foreman and someone mentioned here that he's not in the supervisor capacity or whatever. If he's a working foreman, I can't understand how he can work in the Sanitation Department with a suit and tie.

Another point, Mr. Holtz seems to reflect back. You reflect back twenty-eight years ago when he was in office. Over that twenty-eight year period, I'm sure that there have been changes in appointments and administrations throughout that twenty-eight years and I'm sure if Mr. Holtz reflects back, he can remember a few. Certainly that's the intent here that there is a dire need of a change in administration of the Sanitation Department. Certainly the rights of veterans are certainly understood clearly by myself and I'm sure everyone in this room. That's not the

intent. But the intent is the need for change in administration to run that department more efficiently and it was brought up by Councilman Johnson, there was certainly a sanitation crisis and certainly the sanitation problem, solid waste problem is one that's been facing everyone in this county. It is certainly myself. I served also on that same board representing the Village of Sloan. I appeared at a meeting back in July relative to solid waste management and certainly I heard the same thing, short term and long term goals, objectives and solutions to those problems. And as it was mentioned here also earlier, anyone who could serve on that board could come back and feed the information to this Board what's going on there. I know what's going on there and I know what the problems are and I don't know what the solutions are to those problems, but certainly it's an effort that's being made by a number of municipalities, not just the one. It certainly was advocated or possibly advocated, metropolitan government was mentioned here. I'm not in favor of that. But there are times that we have to band together, municipality by municipality to serve problems and this is certainly the intent by the County. They're not going to heed it alone and they're not, but they're generating the interest to get that problem hopefully solved. But hopefully my basis to vote on the termination of Mr. Zoeller is not to violate the veterans rights or hurt any veterans, but it's a need of change in administration.

One further comment I'd like to make; it was also mentioned by Mr. Kendall that Mr. Zoeller served on the Patriotic Commission. He wasn't hired by this town to serve on the Chamber of Commerce.

MR. BAKOWSKI: I'm Fred Bakowski,  
I'm an  
employee of the Sanitation  
Department. I'm representing the fellows that work there. Mr. Supervisor, we feel that you owe us an apology in the statement made by you that appeared

in the January 4th issue of the Cheektowaga Courier-Express. Now, I'll only read part of it. "Although a number of town residents who attended the meeting described the dirty politics that prevailed at the meeting, the criticism had no apparent affect on the councilmen. One of the targets of the majority is Ronald Zoeller, foreman of the Sanitation Department and Chairman of the Erie County Management Committee. He's highly regarded by county officials involved in solid waste management in the county, but he's supported Meyers during the election; the Sanitation Department employees were largely anti-Meyers and Zoeller because of practices Zoeller administered. This feeling was created shortly - -" I'm sorry.

"The feelings of the men towards Mr. Zoeller were not created because he has supported you and Mr. Swiatek in the November 6th election. This feeling was created shortly after Mr. Zoeller had assumed his position as Sanitation foreman. Mr. Zoeller failed to see and treat the men as individuals, but just as garbage-men. When Mr. Zoeller saw things were not running as smoothly as he likes, he asked his assistant foreman, Mr. Walter Dombrowski, to speak to the men which we felt was wrong. We insisted he speak for himself. When he, Mr. Zoeller, did approach the men, he asked the men for their cooperation and to bear with him. I replied along with others that if he wanted our cooperation, he should start treating us like men, human beings - -"

(Audience interruption.)

MR. BAKOWSKI: Shut up. "- - as human beings, not some kind of slob. Mr. Zoeller violated, on many occasions, the Union contract agreed upon by our local and town fathers."

As for Mr. Majchrzyck being just a truckdriver, that too is false. He is an individual like you and me. He is an intelligent individual whom we feel is qualified to replace Mr. Zoeller. Our support for Mr. Weber was our retaliation to the unfair treatment shown us and our union brothers and sisters by you, Mr. Supervisor, and Mr. Zoeller. Also because he is a true gentleman who treats everyone as equals and he was done a great injustice." Thank you and I have signatures of seventy-five per cent of the men.

(Whereupon, said document was received by the reporter and marked as Exhibit 1 herein.)

MR. AGUGLIA:

Joe Aguglia, Cheektowaga. First of all, I'd like to charge this Board here with being very unprofessional in the way they're conducting a man's future. I think any man that has to be chastized in public the way this man and whoever else is coming up in the future here, in public, I don't understand why you, Mr. Johnson, you, Mr. Burst, the majority, and you two gentlemen over here, couldn't call for a meeting and brought these charges up and let these men from the Sanitation Department come in and give their briefs of what their gripes were and then made a decision and come out here and make a decision like a professional team. I think you're amateurs, absolutely amateurs.

Another thing I'd like to say. I have a neighbor that I don't care for particularly. He happens to be a carpenter. But yet, if somebody wants something done, I'll recommend that man because he can do a good job. And I think you guys are not looking at that at all. Recommend a man that can do a job. I don't even know the other fellow, but you guys are bringing this up publicly,



I think you should go in your chambers, iron it out, call the necessary people in, come up with charges and, if you want to fire the man, fire the man, but don't do it openly like this. He doesn't deserve it. He should get a case against you guys and sue the Town.

(Audience interruption.)

COUNCILMAN DUX:            May I ask you one question, please? I think it has to do with the situation possibly in town here that you're referring to. Didn't you campaign for Sheriff Braun outwardly?

MR. AGUGLIA:            Absolutely.

COUNCILMAN DUX:            Did you get appointed by him to a job here in the county, by Mr. Braun?

MR. AGUGLIA:            Let me say something. Before I say anything, I'll get an order to show cause of what you're saying here. John, am I correct?

MR. ROGOWSKI:            I don't know what you're going to say.

MR. AGUGLIA:            What he's going to say. I'm asking you something right here and now. Are we talking about town business here or are we going to talk about

Joe Aguglia? We're talking about town business or you want to talk about what I do?

COUNCILMAN DUX: Not you personally.

MR. AGUGLIA: Your problems are over here, not with me.

COUNCILMAN DUX: That's right.

MR. ZOELLER: Thank you. I would appreciate the audience being respectful while I talk. I'll be as brief as possible. I've worked for the Town for 3 years, 10 months and 19 days effective today and this is the first time I've asked to speak to the Town Board publicly. I've sat usually in the back row on the northwest corner and kept my mouth shut figuring the politicians are trying to get the votes. I'm a department head. They're my boss. I work for them. I'll show them respect and let them do their thing.

At this point in time, I think I'm forced to tell it like it is and how I feel tonight. Since it's quite obviously the intent of what I call the majority coalition of the Town Board, namely, Messrs. Johnson, Burst, Dux and Rogowski, to fire me, I think I have a few things to say. I'm going to say them and I mean to say them neutrally and objectively and graciously, not with a vendetta, not with vindictiveness like I've seen flow the other way occasionally. I want to talk about three major areas of concern: First of all, what I call the Cheektowaga stigma. Secondly, what I call injustice to the Cheektowaga Town taxpayers. And, thirdly and lastly of the three major items, my own job because I think that's the least important of these three things.

Four years ago, Cheektowaga's image was tarnished. It was due to many things, arguments in the Town Board meetings, corruption, indictments, so on and so forth. Four years ago when the new administration went in, including most of the gentlemen that I'm looking at at the Town Board, and including Supervisor Kenneth J. Meyers, I observed a hell of an improvement in the Town's image. I get sick and tired of going downtown and being laughed at about how bad we are in this town. The only bad press we've had of any consequence, which was a couple years ago on the imbalanced opportunity situation, and that was quieted down because the Affirmative Action plan was written and the Town seemed to be coming pretty good.

Now, I took this job with the Town originally for two reasons. I guess the main one was because I needed some money to pay the bills, although I'm not quite sure that was the main reason. I wanted to help the Town. I found it damn near impossible to help this Town. I've had so little cooperation from this Town Board in three years, ten months and nineteen days I've been here, that it's been pathetic. The only time I saw Tom Johnson in my office in the three and a half years on my job was because of the alleged crisis. We're not in a garbage crisis and we're not going to be in a garbage crisis. Your garbage will be taken care of, ladies and gentlemen.

Now we're facing another stigma, terminations and reductions in pays for several people, not coincidentally happen to be supporters of Kenneth Meyers' campaign which has just past. Our Town government does not need this. We need good government. This is what I feel the Town Board is being paid for, good Town government. We don't need negative press. We've got too much. We're going to get more tomorrow. The days of political patronage, and I hear "patronage" from several of these councilman through the back door, is over, gentlemen. No more should you be giving jobs because of favors. You should be looking after the taxpayers. We - -

(Audience interruption.)

MR. ZOELLER: We got some taxpayers which I wished were here tonight from the lower income tax brackets, from Tiorunda, Sloan, who don't have the income of others and the taxes are hurting them even more. This is serious, ladies and gentlemen.

What I'm going to really say, I'm going to ask the Town Board to set aside these non-productive matters in the future and attend to Town business and I'm very serious about this. What has been going on for months, as far as I'm concerned, is a damned injustice to the Town taxpayers. Last three months I wonder how much the Town Council has done for good government and how much it's done in the political campaigns. I think I know the answer. It's all been political campaigns.

MRS. MAYER: You said it.

MR. ZOELLER: Now, I think this is very important. I may be wrong, but this is my contention and I notice a court stenographer is typing fastly. It's my contention that the majority coalition on this Town Board feels the Town employees constitute what they think a power base for getting a nucleus of seven thousand votes in the next election, 1981 primary, and 1982 councilmanic race, and so forth and so on. Therefore, they've been on a program of appeasement; they'll do what they can because they're trying to sway these guys and some gals to get their votes.

Now, in the last two months, I, as a department head, have been subjected to compromise. These councilmen in the majority coalition have met in planned secret and open meetings with my employees, with my union bargaining unit, hourly people, and with my assistant

foreman. Now, you tell me who are they representing? Themselves or the taxpayers.

COUNCILMAN DUX: Mr. Zoeller, there's times when I've walked into that office and you haven't even been there all afternoon. I've had to talk to Walter Dombrowski, the assistant foreman.

MR. ZOELLER: Well, I personally, as a taxpayer in the Town, highly object paying \$10,000 a year to councilmen who are not doing their job and I feel there are councilmen who are not doing their job.

Now, as far as the Sanitation Department is concerned - -

(Audience interruption.)

MR. ZOELLER: Please, all right, ladies and gentlemen, I'd just appreciate a few more minutes. I've waited three years, ten months and 19 days for this opportunity and I may not have another. Mr. Supervisor, I do not choose to continue under these conditions.

SUPERVISOR MEYERS: Come on, let's have a little order, please.

MR. ZOELLER: I want to talk about a few other things. I think the taxpayers ought to listen to

this. Fact: The Town receives close to a million dollars from HUD, to assist in financing refurbishing areas in our Town such as the rehabilitation of the Walden Avenue area, the Chapel area and the Beach Road area, the Tiorunda area. The Town receives almost a million dollars a year in Community Block Grant Funds.

What about new public projects where our Town is going to want Federal funding assistance.

Fact: Federal funds support 75 per cent of the sewer districts in the Town and so forth and we've got Sewer District Number 8 going right now. Now, is this Town Board collectively, and I'm talking to all seven of the Board, going to assume the accountability for losing these funds because, if my service, my appointment is not renewed and I'm terminated, I'm going to Washington, D.C. to every agency available - - there's two that I know of now and that's the way it's going to be.

In addition, I'm going to entertain two lawsuits. I've talked to an eminent local attorney and I'm talking right now under legal advice. Number one lawsuit will be - - I'm going to challenge your violation of my veteran's rights in accordance with New York State Supreme Court Civil Service Law, Section Number 75. Number two, I'm going to have another lawsuit charging violation of my Constitutional Rights which means on the basis of biased by this Board, I'm talking about the majority coalition, due to my political activities and this will go into a Federal court. Don't forget the costs of legal fees that this Town Board will have to entertain to protect the Town. As well as the fact that I'm personally going to sue the four guys in collusion for punitive damages. If you don't think the stress and strain on my wife and myself hasn't been hell the last two months, you ought to be crazy.

I'll probably file for unemployment insurance and I think the hundred fifty dollars a week that the Town will be responsible for is peanuts and insignificant in accordance with what we're talking about. Maybe a hundred and a quarter.

Next, I want to talk about the employees in the Sanitation Department. I'm quite proud of the employees in the Sanitation Department and always have been. We carry about - -

(Audience interruption.)

SUPERVISOR MEYERS: Wait a minute. Let's have some order, please.

- - -

MR. ZOELLER: It's terrible to be rude like that. As in any organization or committee, you have several dissidents, miscreants, people who have self-aggrandizement. They want a better job or better palatable working conditions through the union situation. But, by and large, we've got one hell of a goddamn good group who works hard. I've always appreciated it. I get told he doesn't talk to the guys. I'm too busy to talk to them. Their idea of a supervisor is a guy that goes sit down on the bench and shoots the bull all day long. I don't have the time for that and I'm not going to have time for that.

Now, just about lastly, the job, as I see it, in the Sanitation Department which has gone on four years is not completed. There's three major areas of concern and I'm sure that -- and I hope that the Town Board is listening to me in the sense of receiving what I am saying and not working three-quarters of the time on rebuttals to what I say because I'm not saying this in a vindictive manner. We still have a two-shift basis to worry about in that department. The trucks are running about five hours of a twenty-four hour day. They're sitting there nineteen. So every five or six years our Town taxpayer can save a million dollars by not replacing trucks if we just run them. Trucks rust out in five or six years whether they're running ten hours a day or twelve hours a day. And this is common knowledge in the industry. So we have to look at that.

Now, I'm not saying we're going to go to two shifts, but we sure ought to look at it damn close because it looks awful suspicious to me and I've been looking at this since January and if I continue on this job, I want the cooperation of this Town Board to look at eliminating six or seven trucks and saving this Town \$500,000 over five or six years. It's serious business. It's more important than this political game.

Secondly, we have a new deal and I've been researching the country and we rerouted three years ago the districts trying to equalize them more fairly from one crew to another by numbers of residents picked up. This is a mechanical means, but it really isn't scientific and there's a better method that really isn't perfect and that's by weight and we'll be weighing our trash pretty soon and all the routes



should be redistributed by weight. We've got fifty people out there that they should be doing about the same amount of work, not different amounts of work.

Thirdly, and lastly most importantly, we have to look at the short range-long range plan of how to get rid of our refuse, our garbage for the next twenty years. Personally, I'm more interested in the next fifty years. I don't want my children and grandchildren faced with the same problem that I was faced with and the existing Town Board is faced with that it shouldn't have been because if the predecessors had done their jobs in the late '60's, we wouldn't be faced with the problems we have today, weighing the fact technologically nobody was aware of what the problems were of what to do, this Board had a hell of a tough problem that it didn't ask for. Who's going to take care of these problems? I don't know of anybody in the plans of the minority or majority coalition of this Town Board capable of taking care of the problems I just addressed.

Now, finally and lastly, I think I'll not rebut to the comments from the floor. I appreciate the opposition's comments. I appreciate those people who talked, say, on behalf of the veterans and my behalf. This was not -- and it's on record -- personally solicited by me. There's corrective action -- and I'm talking to you seriously. I don't know whether you're looking at pencils, desks or awry, whether you think I'm just talking to command the mike or whether you're serious about it. The corrective action is quite clear in my opinion: Town Board cooperation. We've got two factions. We've had two factions. For Christ's sakes, will you get together and talk! You may not agree, but at least if you communicate, that's something. Communicate. If you don't communicate, you can't get anywhere in any problem in this life.

And, thirdly, work for the taxpayer, not for your political end. There's too much politics.

I guess, lastly, I thank you very much for listening to me, the public as well as the Town Board. I appreciate the Town Board and the Supervisor

listening to me. I give you an invite as an individual as a department head, you guys know you haven't talked to me, the majority coalition hasn't talked one minute to me. Just as Joe Schoellkopf said a few weeks ago, it's terrible. I'd be happy to talk to you, preferably on a one-to-one basis or on a group basis as you see fit. I'm as close as the telephone. Thank you very much.

(Audience interruption.)

COUNCILMAN JOHNSON:           Excuse me, excuse me. I'd like to simply respond to just certain intimations in some of the statements that have been made starting with Mr. Kendall.

First of all, we've been accused of being -- I've been accused of being or attacking veterans in some way. We've been accused of not addressing the problems of the Sanitation Department. We've been accused of threatening this Town's federal funds. We've been threatened in kind with punitive damages, suits involving constitutional rights, various other lawsuits. And a personal visitation to encourage federal agencies to withhold federal funds for this particular action. I'd like to say this -- oh, yes, also political vendettas.

Well, first of all, there's no political game engendering this kind of opposition that will always occur when an individual is being considered for removal from a job that is politically appointed. When you make a move on a job like that or any other job, in the political realm, that's government, you automatically engender a great deal of opposition. There's no great political game there.

The point is this: That it's the lessons over the past months, years, relative to the Town's own plight in a vital service that indicates to me that a change of administration is necessary. This has nothing to do with the man's veteran's status,

nothing to do with the man's intelligence. It has to do with how I view that department being run. It has to do with --

(Audience interruption)

COUNCILMAN JOHNSON: It had to do with the fact that anyone who read the papers and anyone who has viewed our Sanitation Department in this Town for the past couple years have realized that we have a major problem. We have a major problem.

Now, in terms of involvement, in terms of involvement in that department, this last fall, this last fall, we spent a huge amount of time in that department and in considerable meetings in order to obtain a contract, in order to resolve the immediate crisis of not having anyplace where we can legally deposit our refuse.

Now, the point of the matter is that it's taken unilateral action or bilateral action of individuals in this Town Board in order to get the Town Board moving to resolve these problems. It's taken no individual as head of the department. It's taken no -- it's represented no communication to this Town Board. It's simply represented the effort of some members of this Town Board to force and push and drive the Town Board into this problem this past year in order to resolve a crisis this fall in which we did and in order to involve ourselves in any effort to resolve this in the long run.

Now, that makes the members of this Town Board intimately familiar with Mr. Zoeller, intimately familiar with the administration of that department, intimately familiar with the various problems that that refuse poses for the Town of Cheektowaga. Where does that leave us? It leaves us with the pre-emptory right to decide as to whether or not it requires a new administration. I personally feel it does and I personally feel it can be accomplished much to the

advantage of this Town. The individual charges against Mr. Zoeller are nothing more -- the request for individual charges against Mr. Zoeller has nothing to do with the fact that this Town Board and these Town Board members and I, for one, have communicated for hours upon hours with Mr. Zoeller on these problems, particularly --

(Audience interruption)

COUNCILMAN JOHNSON: Oh, yes. And, unfortunately, the people of this Town benefitted by the fact that they do have their refuse picked up. We're in a crisis that there's no ultimate immediate solution. But they have their refuse picked up. We have a continuous service and this Town Board committed itself this fall to accomplishing that. And we've committed ourselves today to any efforts engendered by a group of communities or by the county through a group of communities to again find solutions, ultimate solutions to that problem. We are involved. We do know the department. We do know the problems. That's the sole, the sole result of any individual decision on this Town Board in terms of change of administration.

When you have disruption, when you have problems, you look to the administration and you look to change the administration and we have the pre-emptory right to change that administration. It's easy --

(Audience interruption)

COUNCILMAN JOHNSON: It's very, very easy and it's obviously political to make statements that any change, any approach to a department, which the papers have indicated for many months has posed a problem for the

Town, it's very easy to stand here today and accuse of political attacks, campaign retribution. Believe me, the discussions over that department preceded the recent campaign, was concurrent with the past campaign and did not receive the coverage because of the recent campaign, but had the resolution of those problems and the attempt to change any administration had absolutely nothing to do with that campaign. But it's easy for those of you who are here to make that our purpose -- we're not here for political reasons. We're not here --

MRS. MAYER:

You're the one that's political.

COUNCILMAN JOHNSON:

We're not here but to attempt to do our best job for the Town and create an administration which we feel will accomplish that job.

SUPERVISOR MEYERS:

Hold on a minute. I'll entertain one more speaker.

MR. MAJCHRZYCKI:

I'm Florian Majchrzycki, and I'm the candidate for the job of working foreman in the Sanitation Department. To set the record straight with the Town Board and the public and the military, I'm glad to see you here. I've been a member of the Town for twenty-two years, a motor equipment operator for fifteen years. Been assistant to the former foreman for five years. I work with Mr. Zoeller and I worked with Mr. Zoeller hand in hand on compacting units. I was the first one and the first truck driver to institute the rear end loading system. And we initiated that and we made it work. I gave him a hundred per cent cooperation. And he thanked me for it.

I've been a veteran of World War II and Korean conflict. Military service, ten years. Acting First Sergeant, Acting Sergeant Major. Achieved the rank of Master Sergeant. Motor Sergeant, Hidelburg, Germany. Forty-five vehicles and military personnel. Camp Drum, New York, 1951-52, Battalion Motor Sergeant for the 78th Infantry. Responsible for sixty to seventy military vehicles. Instructing National Guard units coming up from the south in winter and summer maneuvers. Truck Master, Quarter Master Corps, '55. Responsible for dispatching eighty to one hundred vehicles daily and all Korean and American personnel.

To set the record straight, I'm not a committeeman. I never had a sticker on any car, a vehicle that I owned, and I had made no campaign promises to none of these gentlemen at the Board. When I was interviewed 1976, I sent my resume in. Mr. Supervisor, you probably got a file copy of it and all the innovations that Mr. Zoeller took and put to work are on that resume. And Richard Kazuta was also candidate for the office. He had the same thing that were put to work.

So, as a paper stated Friday, in the News, that Mr. Zoeller defends his capabilities as working foreman, gentlemen, he sat down with us, with a couple drivers, and stated admittedly, "I have only two hours to work with you people today." Because he's always involved in things other than duties that are required by working foremen. He's the liaison between the public that are supposed to get the service and the employee. They are your ambassadors. The Town Board I'm talking to. They see these people daily, make contact with them. The way they perform their jobs is a reflection upon you. That's all I have to say.

(Audience interruption)

SUPERVISOR MEYERS:

I think we've carried on long enough here. Taking everything

that's been brought up, talking  
 legal entanglements, talking  
 loss of funds, and I can see possibly going back to one  
 of the worst resolutions passed at this Board since  
 I've been a member was the early 1970's when this Town  
 Board, by a vote of 4 to 3, posted and filled nine  
 positions in the police department, that's a stigma  
 that has stuck with this Town since that time. I'd  
 like the Town Board members to possibly reconsider  
 this resolution. So at this point, I'm moving to  
 table this motion. Do I have a second?

COUNCILMAN JOHNSON: You moved to table?

SUPERVISOR MEYERS: Second on the table, please?

COUNCILMAN SWIATEK: I want to speak a second.

COUNCILMAN JOHNSON: You moved to table, Supervisor,  
 but you move to table by  
 dropping one more political  
 accusation. First of all, Supervisor, the Board members  
 sitting here, except for you and Councilman Swiatek,  
 were not part of that Board. We were not part of that  
 administration. What we've been is we've watched our  
 own refuse problem become literally a mountain.

SUPERVISOR MEYERS: Come on.

COUNCILMAN JOHNSON: We've sat here, we've sat  
 here --

COUNCILMAN SWIATEK: Tom, all you've done is rationalize

your Board position.

COUNCILMAN JOHNSON: All you've done, Councilman Swiatek, is engender the support of political people working for the Town and working within the political realm and within political committees for one reason only, and that is that what is at issue here is an appointment. And as a result, there it becomes a political interest in what should be an administrative decision of this Town Board.

Now, I've maintained that it's an administrative decision of this Town Board and I maintain that you, Councilman, were not involved at all when we had the problems we had over this past couple years in refuse.

COUNCILMAN SWIATEK: I was there at those meetings, Mr. Johnson. Now, that's a false lie. You've lied to Mr. --

COUNCILMAN JOHNSON: You did not attend those meetings.

COUNCILMAN SWIATEK: You've lied to Mr. Wegner, now you've lied to me. I was there. I was there. Now I'm going to speak, Mr. --

COUNCILMAN JOHNSON: Did you --

COUNCILMAN SWIATEK: Mr. Johnson, I'm going to speak. I'm going to speak.



COUNCILMAN JOHNSON: Mr. Swiatek --

COUNCILMAN SWIATEK: I'm going to speak.

COUNCILMAN JOHNSON: You have.

COUNCILMAN SWIATEK: You know --

COUNCILMAN JOHNSON: You've consistently tried to --

MRS. MAYER: What else did Weber tell you to say? Damn right Weber's behind this.

COUNCILMAN JOHNSON: Another simple and easy accusation.

MRS. MAYER: Simple my foot.

COUNCILMAN JOHNSON: Quite simple.

COUNCILMAN SWIATEK: Mr. Johnson --

COUNCILMAN JOHNSON: And quite wrong.

COUNCILMAN SWIATEK: I'd like to point out that I had

made a statement that when this is all through, the record will show that all those people who supported -- many people who supported Kenny Meyers are going to be hurt by this move and the record will show it despite your rationalizations, despite your excuses and false accusations of me, the record will show the supporters of Supervisor Meyers will suffer by this so-called administrative change. Now, I've been here for thirteen years and this is the most disgusting experience I've had. I've seen elections where the feelings of people are bitter and I've said this often, that elections have a tendency to bring out the worst in people. Situations like this have a tendency to bring out the worst in people, bring out resentment and hatred and bring out name calling in people and bring out making fun of people, and character assassination and so forth. Whatever they do. And I just think, you know, Ron Zoeller made a point about the image of this community. Wherever I go it's just awful. And that bothers me. It really bothers me what's going on here. The image of this community is suffering. People are saying things like, "Cheektowaga is back into the dark ages; Cheektowaga has gone back to the dark ages." And I just can't help but express myself that it's bothering me a great deal as to what's going on here. Because people who have supported Ken are being hurt. They've never been brought up.

Back in September, no one said that Ron wasn't doing his job. No one -- Ron has been giving us periodic reports. We've got the dates on those reports, the reports that you claim you never get, Mr. Johnson, very conveniently claim you never get certain reports.

COUNCILMAN JOHNSON: We got a rash of reports recently, didn't we!

COUNCILMAN SWIATEK: You conveniently say that.

COUNCILMAN JOHNSON: Are you speaking on the table?

COUNCILMAN SWIATEK: Yes. The second thing I'm going to speak about is performance. What does it matter around here? It matters who did you support in the last election, not how you do your job. Please, who did you support in the last election. Not whether you do a good job, but do you agree with the majority. Do you agree with the majority. That's what counts. Not whether a person's done a good job. And the other thing I'm concerned about, what about new positions that are going to arise here in the Town; how many people are going to be dissuaded and discouraged from applying for positions, that will be discouraged from coming here? Why? Because they know it's going to be a political kind of Town Board. If you don't agree with someone or support the right candidate, you're going to go down the tubes and I think it's awful and I think we set up a very win-loss situation here. The people lose. The image of the Town loses. All of us lose. It isn't a matter of the three of us losing in a situation like this. But when we take good people like Ron Zoeller and --

(Audience interruption)

COUNCILMAN SWIATEK: Please. You know I find it very interesting --

MR. BAKOWSKI: How come he treats people like scum then?

COUNCILMAN SWIATEK: Sir, you're not treating me much better than that. You're

accusing everybody else.

MR. BAKOWSKI: He ain't no boss, get him out of there.

COUNCILMAN SWIATEK: You know, I see many --

(Audience interruption)

SUPERVISOR MEYERS: All right, all right.

COUNCILMAN SWIATEK: I see many blue collar people here and they have one of the great advantages of being a blue collar worker and that is security. It's security in their jobs. They fight for that security and rightfully so. And rightfully so. In fact, when that incinerator closed, I made a move to try to save those jobs with the union. Because I believe in security where people are doing their job. But here we have a man doing his job, but it doesn't matter. It doesn't matter.

(Audience interruption)

COUNCILMAN SWIATEK: Now, I'm speaking, please, please. I'm not asking you to agree with me, but just give me the right to say what I feel. That's all I'm asking you to do. Have we gotten to the point where we can't even allow people to express their views, is this the kind of Town we're going to have here, without being made fun of or interrupted? We're starting off

on a very bad note. We have serious --

UNIDENTIFIED PERSON: How come it took you so long to start this thing going then? It's so screwed up for thirteen years --

COUNCILMAN SWIATEK: What's so screwed up?

UNIDENTIFIED PERSON: The attitude of the people and everything else.

COUNCILMAN SWIATEK: Well, recently it has.

UNIDENTIFIED PERSON: You've been here thirteen years.

COUNCILMAN SWIATEK: And in my thirteen years we haven't had two Board meetings back to back like this.

UNIDENTIFIED PERSON: Why didn't you guys agree with one another when you had six to one? You couldn't get along either then.

COUNCILMAN SWIATEK: Wait a second.

UNIDENTIFIED PERSON: When you had six to one, you

still couldn't get along.

COUNCILMAN SWIATEK: How many people's jobs suffered because of it?

UNIDENTIFIED PERSON: I worked five years over here and then you're canned. Why? Because of the C.E.T.A. Program. Instead of absorbing them, you let them go out on the street. What happens? You let them go because the funds--

SUPERVISOR MEYERS: Right.

UNIDENTIFIED PERSON: Never mind the C.E.T.A. money.

SUPERVISOR MEYERS: You want to put a million dollars in the budget?

UNIDENTIFIED PERSON: They start to give you five years of their lives and then you send them out on the street.

COUNCILMAN SWIATEK: When they were hired, they knew that.

UNIDENTIFIED PERSON: I know how they were treated too.

COUNCILMAN SWIATEK: All I'm saying --

UNIDENTIFIED PERSON: Got thirty --

SUPERVISOR MEYERS: All right, why don't you sit  
down, Jake. Sit down. You  
got up here, nobody talked.  
Let him finish. Talk about respect --

COUNCILMAN SWIATEK: This thing has degenerated  
to the point where we can't  
even talk to each other.  
We can't even talk to each other. That's how far  
this thing has gone.

COUNCILMAN WEGNER: Are you finished?

COUNCILMAN SWIATEK: I'm just upset with the whole  
thing. One other thing --

COUNCILMAN JOHNSON: Is it being tabled? Did you  
second the table?

COUNCILMAN SWIATEK: I'm speaking.

COUNCILMAN JOHNSON: Did you move a table?

SUPERVISOR MEYERS: Would you listen to him for a  
minute?

COUNCILMAN JOHNSON: Are you tabling the motion or  
not?

SUPERVISOR MEYERS: You spoke on the motion.

COUNCILMAN SWIATEK: I'm in the process of seconding it. I'm in the process of seconding it.

COUNCILMAN JOHNSON: What happens once you table it?

COUNCILMAN SWIATEK: It's closed.

(Audience interruption)

COUNCILMAN SWIATEK: All I want to say in the process-- I'm in the process of seconding the table -- that I wish the Town Board would seriously consider the consequences of something like this, the consequences on our community and our image and I take that to be very, very important. I place that in very high esteem. So with those words, Mr. Supervisor, I second that table.

\* \* \* \* \*

ITEM NO. 26: Appointment to position of Working Foreman in the Sanitation Department.

SUPERVISOR MEYERS: Item 26, please.



COUNCILMAN BURST: I'll move to table Item 26.

COUNCILMAN JOHNSON: I'll second the table. The action on Item 25 dictates the action on Item 26.

SUPERVISOR MEYERS: Item 25 and Item 26 are tabled.

\* \* \* \* \*

ITEM NO. 27: Terminate employee from position of First Deputy Town Attorney.

SUPERVISOR MEYERS: Item 27?

MR. MOLESKI: Item 27 is to terminate an employee from the position of First Deputy Town Attorney.  
 Moved by Councilman Rogowski, seconded by Councilman Dux. "Be it resolved that Robert E. Miller be and hereby is terminated from the position of First Deputy Town Attorney."

SUPERVISOR MEYERS: You want to speak, the mover or second of the resolution?

COUNCILMAN ROGOWSKI: The only thing I'd like to say relative to that resolution is --

UNIDENTIFIED PERSON: Use the mike.

COUNCILMAN ROGOWSKI: Can you hear me now?

UNIDENTIFIED PERSON: Yes.

COUNCILMAN ROGOWSKI: Just like to make one brief comment relative to this resolution, that simply looking at the legal department in the Town of Cheektowaga, I feel as though there's a need possibly to reduce the number of town attorneys that we presently have. Secondly, secondly, this resolution is no different than a resolution that was moved twelve years ago by Councilman Swiatek to remove a Town Attorney, namely, Gerry Walter. And with that, I would like to move that resolution.

SUPERVISOR MEYERS: Just one question I'd like to ask. At the last Town Board meeting, it was indicated that Mr. Schoellkopf and Mr. Miller were both going to be terminated. I was curious why one name appears on the resolution. Is there a change in heart on that special prosecutor's position?

COUNCILMAN ROGOWSKI: This only has to do with the Deputy Town Attorney.

SUPERVISOR MEYERS: But at the last Town Board meeting --

COUNCILMAN ROGOWSKI: It has nothing to do with

this resolution.

SUPERVISOR MEYERS: No reason?

COUNCILMAN ROGOWSKI: Mr. Schoellkopf has nothing to do with this resolution.

SUPERVISOR MEYERS: It was at the last meeting.

COUNCILMAN ROGOWSKI: It doesn't now.

COUNCILMAN WEGNER: I would just like to say one brief thing. I question the motives of this too because two weeks ago was not only Mr. Miller being subjected to removal, dismissal, whatever, there was also another name to be replaced. Now, I assume that a change of heart has been had by the Board majority, that there will be no replacement of them or is this a move to later fill the slot with someone else?

COUNCILMAN ROGOWSKI: I'm moving a resolution to terminate one Town Attorney.

COUNCILMAN WEGNER: Okay.

COUNCILMAN ROGOWSKI: And I said possibly looking at the legal department, possibly there's not a need for four Town attorneys.

COUNCILMAN WEGNER:           Okay. Here again I have to reiterate the fact that I think principals are being just thrown out the window here. We're talking about positions, this particular man for ten years has been here, long before me. And from my knowledge, not once have we, as a Town Board, called Mr. Rogowski, who is his supervisor, together or Mr. Miller, and complained about any problems that he's having. I don't think there's a person out in that audience today or anybody in our country that would like to work under these kind of conditions where every two years they could be subjected to being removed for no reason whatsoever. I just question the principles of what we're doing. Mr. Johnson talked about simple appointments. We're talking about human beings and I can't relate to human beings as "simple appointments".

So I just cannot at this time go along with this move. If -- I've talked to Mr. Rogowski. I brought him in and asked him what Mr. Miller does for the Town. And I've learned quite a bit in talking to Town department heads. Unfortunately, we, as a Town Board, don't do this, but we will. He told me -- he's the department head of that particular department. We feed him the work; he feeds the work to his people. And I think it's common courtesy and only right that he should be called in as well as anybody that's subjected to being replaced with a reason or a show cause of why we're doing something like this. To me it's very obviously political because right after the elections we went and sat down for hours through salary reviews and at every salary, every person that was heard, salary-wise or now being dismissed, are the people that supported the opposition. And I just have to go against this at this time.

MR. MILLER:                   May I speak?

SUPERVISOR MEYERS:           Just a minute.

COUNCILMAN JOHNSON: Wait a second now. Are the Town Board members going to be given an opportunity to talk on this? I would hope so. I know that we're here and we were here and heard at the last meeting a long list of accusations and to place the political onus on anyone who would wish to make any changes in administration even though this Town Board has changed. And I think that we are here again to be chastised and attacked by political supporters. All right. But so long as that is necessary, so long as we have an agenda to get through, I think we ought to dispense with Board comments and as soon as the Supervisor decides to cut off, cut off comments from the audience, we can move on to the next agenda items, very frankly.

SUPERVISOR MEYERS: Cutting you off is my biggest problem.

(Audience interruption)

COUNCILMAN JOHNSON: It is a problem, Supervisor, because I have the right to speak.

MRS. MAYER: Leave the meeting like you did last time.

COUNCILMAN JOHNSON: Mr. Rogowski alluded to the number of attorneys in that department. About a year and a half ago, a little more than a year and a half ago, the question was raised at that time about increasing or decreasing the number of attorneys in that department. I, for one, spoke out against increasing the number of attorneys at that time. Now, very frankly, we all have an opportunity to work as Town Board members, work

through with items that are affected by the law department or affected or require their input or should have required their input. Now, I, for one, feel that we can accomplish an efficient effort with this particular move and I, for one, do not feel that we necessarily, that we necessarily are in a political realm when we do so. We're making moves that have not been discussed yesterday, this month, but for some time and considerably long before this recent campaign and expressed by several Board members on several matters accumulating over the past few years, opinions on the law department, opinions on individuals in the law department. No one is taking a legal testimonial for all the various meetings that this Town Board has had individually, collectively, that dealt with matters that were before the legal department. But I have the right to use my collective memory to make a judgment and so does each one of these gentlemen. And that judgment, that judgment will affect my decision of whether or not we terminate an individual or we promote an individual and it absolutely has nothing to do with who worked for whom.

SUPERVISOR MEYERS:                   Okay, Tom.    Okay, Tom.

COUNCILMAN JOHNSON:                Obviously, those who are here who have been told that the reasons are political and have been asked to be here for political reasons are obviously going to talk about that. But I want -- I want you to know the decisions that this Board are capable of are capable of because we do have a new year, we have a different make-up on the Town Board. We're capable of making decisions that maybe couldn't have been made in the past years.

SUPERVISOR MEYERS:                What, Tom -- answer me one question. What I would like to know, the move to dismiss Bob Miller is now economics. At the last Town Board meeting, it was to replace --

COUNCILMAN JOHNSON: I didn't say that.

SUPERVISOR MEYERS: It was to replace him. At the last Town Board meeting we were going to end up with a consulting board and assistant deputy. Schoellkopf's name was dropped off. Now we're talking of just dismissing a person and not replacing him. Now, Don Merritt was the other individual after Kirisits moved up, to replace him.

COUNCILMAN JOHNSON: You're saying that, Supervisor.

COUNCILMAN WEGNER: It's time we be truthful with each other.

COUNCILMAN JOHNSON: The agenda item which this Board was asked not to act on involved the appointment of a consulting firm for prosecutorial duties and the dismissal of two members of the law department. Now, the fact of the matter is Mr. Rogowski advised that we should attempt --

SUPERVISOR MEYERS: Just answer my question.

COUNCILMAN JOHNSON: We should not take these steps indiscreetly and we are doing them item by item.

SUPERVISOR MEYERS: Councilman.

COUNCILMAN SWIATEK: I stated, in earlier remarks, if a person was not performing, I think that's just cause for removal. Now, Mr. Rogowski, you alluded to a situation back ten or twelve years ago. Let me ask you, who was the Town Attorney at that time?

UNIDENTIFIED PERSON: Kitzinger.

MR. SWIATEK: I didn't ask you. Mr. Rogowski, did you check with Mr. Ken Kitzinger to find out what the circumstances were that were surrounding that particular resolution?

COUNCILMAN ROGOWSKI: I only checked the Town minutes and there wasn't too much there -- the only thing that appeared in those minutes was that Councilman Frank Swiatek, who sat on his very first meeting, moved a resolution to terminate him and it was seconded by Councilman Halicki.

COUNCILMAN SWIATEK: But you didn't research it at all.

COUNCILMAN ROGOWSKI: I just told you --

COUNCILMAN SWIATEK: Well, I have no great need now to zing or to zap Mr. Walter for something that happened maybe twelve years ago, but I just suggest, Mr. Rogowski, that you do some research on that particular situation and you find out what the circumstances were surrounding that particular resolution. And I think you'll find,



I think it will be an eye opener to you, perhaps, if you talked to our Town Attorney, Mr. Rogowski, to find out what those particular circumstances were. And again, there's another resolution and I know no one has talked to Mr. Miller, I presume, still, as to why they're removing Mr. Miller. And, you know, Mr. Johnson keeps insisting that it's not political, but I would believe, Mr. Johnson, that you'd probably vote for anything that any of these three people would want just to keep your four votes together. And I think that's --

(Audience interruption)

COUNCILMAN JOHNSON: I'm sure, Councilman, that you're willing to say almost anything in terms of political accusations only to defend your position and defend yourself in front of people that you've asked to be here.

COUNCILMAN SWIATEK: Did I interrupt you when you talked? I really think that the other aspect is that one of the local papers indicated some political ambitiousness on your part. All of these actions seem to back that up. You know, you're compromising your position, you're rationalizing your position and yet I think when the final tally comes out, I think it will show that, again, that these resolutions are hurting supporters of Ken Meyers.

COUNCILMAN JOHNSON: We haven't compromised or rationalized. You've asked for statements as to what our intent is. It's not our purpose to rake any one individual through the coals. The simple fact is there's been criticism of the law department in the past. There's been criticism of the Sanitation

Department in the past and other departments. They have nothing whatsoever to do with any recent campaign, but it's easy to say that they do.

SUPERVISOR MEYERS: Show us the file. Show us the file.

MR. MILLER: May I speak here?

SUPERVISOR MEYERS: Go ahead.

MR. MILLER: My name is Robert Miller. I've been Deputy Town Attorney for a period of ten years. I was here before Mr. Dux, who's a friend of mine.

UNIDENTIFIED PERSON: Speak on the microphone, please.

MR. MILLER: Okay. I'm pretty loud some-times.

UNIDENTIFIED PERSON: I'm a senior citizen, a little hard of hearing.

MR. MILLER: Okay. I was here before these four men, before Mr. Johnson, who came from a community I have no idea where he came from. He has casted doubts on this community. He's like a plague on the community.

(Audience interruption)

UNIDENTIFIED PERSON: Is he protecting himself  
or is he trying to --

SUPERVISOR MEYERS: He's the man in question,  
let him speak.

UNIDENTIFIED PERSON: He can protect his job, but  
don't go slander all people.

MR. MILLER: I didn't go after your job,  
Mister. Please give me a  
chance. I didn't go after  
your job.

UNIDENTIFIED PERSON: Not my job. I'm not a  
political leech. I don't  
have to be up here crying  
like you.

MR. MILLER: I have many roots in this  
community, my family. My  
grandfather, when he came  
from Poland, settled here. I've been here all my  
life. My grandfather's family and my uncle's family,  
we settled on Colden. Anybody that lives around  
Harlem-William Street area knows my family. I don't  
know where Mr. Johnson came from.

Mr. Dux, let me ask you,  
Mr. Dux, was I your first chairman of your first  
campaign? Please, Mr. Dux.

MR. DUX: For a brief time.

MR. MILLER: For a brief time? Mr. Dux!

MR. DUX: Is that your wife trying to speak right there?

MR. MILLER: Yes, that's my wife.

MRS. MILLER: Just to show -- I'm Teresa Miller. Just to show you how stupid he is, his booster club called me to be here to harass everybody on the Board, including Wegner, Meyers and Swiatek, and I'm your wife, the guy that's being dumped. They called me, your club.

COUNCILMAN DUX: Sorry, I didn't know anything about it.

(Audience interruption)

MR. MILLER: Mr. Rogowski, I don't know you. Mr. Burst, let me ask you, what did I ever do to you?

What's the reason --

COUNCILMAN BURST: As we said, Mr. Miller --

MR. MILLER:

Who's "we"?

COUNCILMAN BURST:

All right, other people --

MR. ROGOWSKI:

You're accusing a man, "other people", you say -- Christ's sake.

COUNCILMAN DUX:

Are you making comment right now?

MR. ROGOWSKI:

Yes, I think I have the right to. When you say "other people", nobody came to me and said that Bob Miller isn't doing a job.

COUNCILMAN DUX:

Excuse me. There were things said about Mr. Miller that he wasn't doing his job properly.

MR. ROGOWSKI:

They weren't said to me.

COUNCILMAN DUX:

Are you sure of that? I'd just like to make a comment. Just put that on the record also.

MR. MILLER:

You think you have four men here. These aren't four men. These are one cell. Let me

tell you something, they operate like one cell. You think you have four bodies here, but they're one unit. And let me tell you something, evil men only prevail when silent men speak silent. You must work against these people, work with your Supervisor. They're going to try to ruin him and destroy him. Please help him. Thank you.

(Audience interruption)

SUPERVISOR MEYERS: I move to table.

COUNCILMAN SWIATEK: I'll second the table.

MR. EARL: My name is Charles Earl.  
I live on  
It seems, Mr. Supervisor, --  
I don't want to pick on you, but you're Chairman of this Town meeting. And there's no order to this meeting at all. You've gone from one extreme to the other. I remember meetings here where you wouldn't let people in the audience speak until the end of the meeting. Now we've gone to the opposite extreme. I don't care who personally is the sanitation foreman. I don't care if he's fired or not. I'm not qualified to say who is. The point is we're wasting our time here. Why can't we expedite this matter and set up some kind of rules for speakers? I don't know what the law is for councilmen speaking, but we can certainly do something for the audience speaking, limit them to three minutes, five minutes, but this rambling on --

SUPERVISOR MEYERS: I don't think the audience --  
I don't have that much  
difficulty with the audience.

MR. EARL: Well, I -- it's 10:30 already and we just got started.

MR. LAKOMSKI: My name is Ted Lakomski. Now, I don't blame these gentlemen for coming up here, fighting for their jobs. Isn't it a political fact that when you get involved in politics, you accept the job you're appointed? If you're a Democrat, Republican or whatever, you're just here for the term of the majority. And you know it and you knew it when you took your job. Mr. Zoeller knew it. And everybody else that gets appointed, he knows that if there's a change of administration, he's hanging by a thread and he's out the door. And it's that way -- not just -- you're making a big stink here. But it seems to me the only jobs that are appointed, and these are in the federal government and the cabinet, if Mr. Carter gets defeated, his whole cabinet, as a courtesy, submits their resignation. Or otherwise whoever wins the election, he's going to get rid of them anyway. So the only way is just submit your resignation to leave.

Now, you know darn well you got appointed. And I don't blame you for fighting, but don't assassinate all these people. They have a right -- they have a right. And I'd like --

MR. MILLER: I don't --

MR. LAKOMSKI: I'm a taxpayer here and I've seen this disgrace on Indian Road and I read in the paper where the Town Board, before the last election, we have three attorneys to advise our Supervisor and all of our councilmen on Town business. You mean to tell me that KNU-CO has smarter attorneys, that they pulled the wool over our attorneys' eyes? We find out we don't have a contract with them where they got you where they want you and everything.

SUPERVISOR MEYERS: No, no, that's not true.

MR. LAKOMSKI: Where was Mr. Rogowski on that? Where was he?

SUPERVISOR MEYERS: Let me refresh your memory a little bit. You're talking about people changing positions. I've been on this Board twelve years and majorities have switched back and forth on this Board. At no time do I know anybody that's lost his position because of his political affiliation unless you can refresh my memory.

MR. LAKOMSKI: It's happened throughout the country.

SUPERVISOR MEYERS: It hasn't happened before, it's happening now. All right, let's go on.

COUNCILMAN JOHNSON: Majority of the Town Board of the past six or seven or eight or ten years just spoke.

MR. LAKOMSKI: I know Mr. Rogowski was elected councilman and then he is appointed.

COUNCILMAN WEGNER: What the entire government does doesn't mean that it's right. Our country is not



exactly tremendous right now.

MR. LAKOMSKI: Mr. Wegner, I agree with you wholeheartedly. I think we can look back in all forms of government. It's not always the person that is the best qualified for the job; it's who do you know or whatever. And this has been happening in our country for lord knows how many years.

COUNCILMAN WEGNER: That's not right, that's not right. I'm making a big issue out of it because I don't feel that we, as a Board, ever called anybody up here and complained about a wrongdoing that they did.

MR. LAKOMSKI: I don't think that's necessary, is it?

COUNCILMAN WEGNER: I don't want to agree that it's political. I was told that I should not be in politics because I can't be political. I think I should be and do what's right for the people, not for the politicians. And that's what I'm doing.

COUNCILMAN JOHNSON: You should have the courage of your convictions.

SUPERVISOR MEYERS: Next item.

\* \* \* \* \*

Arthur J. Caprio, R.P.R.

Cheektowaga, New York 14225

\* \* \* \* \*

EXHIBIT

..... BY OFFICER  
..... FOR IDENT.  
ARTHUR J. CAPRIO

1-21-80  
Submitted  
by FRED

BAKOWSKI

Dear Mr. Supervisor Meyers:

We the employees of the Sanitation Department feel that you owe us an apology in regards to a statement made by you, that appeared in the January 4th issue of the Courier Express, which read: (This statement made by you is false) The feelings of the men towards Mr. Zoeller were not created because he has supported you and Mr. Swiatek in the November 6th election. This feeling was created shortly after Mr. Zoeller had assumed his position as Sanitation Foreman. Mr. Zoeller failed to see and treat the men as individuals but just as garbage men. When Mr. Zoeller saw things were not running as smoothly as he likes, he asked his Assistant Foreman Mr. Walter Dombrowski to speak to the men which we felt was wrong. We insisted he speak for himself. When he (Mr. Zoeller) did approach the men, he asked the men for their cooperation and to bear with him. I replied along with others, that if he wanted our cooperation, he should start treating us like human beings not some kind of scum. Mr Zoeller violated (on many occasions) the Union Contract agreed upon by our local and town fathers.

As for Mr. Majchrzycki being just a truck driver, that too is false. He is an individual like you and me. He is an intelligent individual whom we feel is qualified to replace Mr. Zoeller.

Our support for Mr. Weber was our retaliation to the unfair treatment shown us and our union brothers and sisters by you Mr. Supervisor and Mr. Zoeller, also because he is a true gentleman who treats everyone as equals and he was done a great injustice.

Thank you.

Alexander Pafowski	J. Padon	Meyers
J. Potimowski	J. Stanczak	John Koval
Fredrick Bukowski	Justin Garnot	Walter Kozminski
Paul Klauk	Nat B. Beyraty	Dale Kozminski
Alon Bonas Bennett	Thomas Torgas	Michael Kozminski
Arthur C. Brown	Richard Widom	Paul Kozminski
Joseph A. Dalch	Joseph Riste	Henry C. Kozminski
Joseph Miller	Sam Baldi	Richard Kozminski
Michael Santy	Frank J. Sines	Dave Kozminski
Tom Mackey	Gonald M. Henkle	Harry Kozminski
Tom Carroll	Louis Deery	James Kozminski
Robert G. Grove	James E. Tobin	Francis L. Baratti

Marion Kammerer

James Stobinski

Stephen K. Tuttle

James P. B. Browne

John H. Kiewit

Cornard Wasielewski

Cosmes F. Hoffman

Raymond Mayhew

Theodore G. Keane

James Stollon

Walter M. Muhl

Bernard Arendt

Ed J. Johnson

Anthony T. Shinn

Ray Slivski Sr

Item No. 28      Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that James J. Kirisits, residing at Cheektowaga, New York be and hereby is reappointed as Deputy Town Attorney at an annual salary of \$16,200, effective as of January 1, 1980.

Upon Roll Call.....

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

NAYES:            0

ABSENT:           0

Item No. 29 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga's 1979-80 Community Development Block Grant application contains an appropriation of funds for purposes of a housing inspection code enforcement program in the Town's targeted Neighborhood Improvement areas, and

WHEREAS, said application has been approved by the U.S. Department of Housing and Urban Development, NOW, THEREFORE, BE IT

RESOLVED that Loris Durfee, residing at 452 Cayuga Road, Cheektowaga, New York, be and hereby is retained for 1980 as a part-time housing inspector for the Community Development Block Grant Program effective as of January 1, 1980, and BE IT FURTHER

RESOLVED that Loris Durfee be compensated from Community Development funds at the rate of \$6.00 per hour, said compensation not to exceed a total of \$6,300.00 for the year 1980, and BE IT FURTHER

RESOLVED that the salary of Loris Durfee as part-time housing inspector for the Community Development Block Grant program for 1979 be set at \$5.45 per hour, retroactive to January 1, 1979.

Upon Roll Call....

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

Item No. 30 Retain Loris Durfee as housing inspector  
This item was withdrawn.

Item No. 31 Create position of Plumber in Facilities Department  
This item was withdrawn.

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

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Personnel Department for the creation of a "Detective" position in the Cheektowaga Police Department to enforce, and make on-site inspections relating to the "Games of Chance" Law, and

WHEREAS, the Erie County Personnel Department has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Detective" in the Cheektowaga Police Department, be and hereby is created.

Upon Roll Call....

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

Item No. 33 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the proper PO-17 forms have been submitted to the Erie County Personnel Department for the creation of two (2) temporary "Crew Supervisor" positions, in the Cheektowaga Youth Bureau, to coordinate and supervise the workers under the federally funded Youth Conservation and Community Improvement Project, and

WHEREAS, the Erie County Personnel Department has approved the creation of the above two (2) temporary positions, NOW, THEREFORE, BE IT

RESOLVED that the two (2) temporary positions of "Crew Supervisor" in the Cheektowaga Youth Bureau, be and hereby are created.

Item No. 33 cont'd

Upon Roll Call....

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

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

WHEREAS, 2 vacancies presently exist in the Town of Cheektowaga Sanitation Department for the positions of "Laborer", and

WHEREAS, said vacancies have been posted in accordance with the bargaining agreement between the Town of Cheektowaga Employee's Association and the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Donald Schmidt, a MEO B in the Highway Department and William Galuszka, a General Mechanic in the Facility Department being the most senior applicants, be and hereby appointed to the positions of "Laborer" in the Sanitation Department at the rate in accordance with the Union Contract, effective immediately.

Upon Roll Call....

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

Item No. 35 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the positions of "Auto Mechanic and Auto Mechanic Helper" have been created in the Central Garage, and

WHEREAS, said vacancies have been posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employee's Association, NOW, THEREFORE, BE IT

RESOLVED that Jeffrey Bolis, Mechanic Helper in the Central Garage be appointed to the position of "Auto Mechanic" as being the most qualified applicant, and Christopher Taber, MEO B in the Sewer Maintenance be appointed to the position of "Mechanic Helper" as being the most qualified applicant, at the full salary in accordance with the union contract, effective immediately.

Upon Roll Call....

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

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

WHEREAS, the terms of certain members of the Traffic Safety Commission have recently expired, NOW, THEREFORE, BE IT

RESOLVED that the following persons be and hereby are reappointed to the Traffic Safety Commission, effective immediately:

Richard Mirando  
Cheektowaga, New York  
William Vogelsang  
Cheektowaga, New York

Item No. 36 cont'd

James J. Makowski  
Cheektowaga, New York  
  
David Metz  
  
Cheektowaga, New York

Upon Roll Call....

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

Item No. 37 Reduction of membership from Traffic Safety Commission  
This item was withdrawn.

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

WHEREAS, Nancy Sztukowski residing at Cheektowaga,  
New York 14211, has been hired under the Comprehensive Employment and Training Act  
of 1973, as amended in 1978, Title II, as a Junior Career Trainee in the Recreation  
Department, and

WHEREAS, Nancy was erroneously transferred from Title II to Title VI  
on October 15, 1979, NOW, THEREFORE, BE IT

RESOLVED that Nancy Sztukowski be transferred to Title II, retroactive  
to October 15, 1979, and BE IT FURTHER

RESOLVED that her title be changed to Clerk, retroactive to November 6,  
1979, at an annual salary of \$9,514.60 to December 31, 1979, and \$10,180.62 retro-  
active to January 1, 1980.

Upon Roll Call....

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

Item No. 39 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Russell Hahn residing at Cheektowaga,  
New York 14215, has been hired under the Comprehensive Employment and Training  
Act of 1973, as amended in 1979, Title II, as a Junior Career Trainee outstationed  
at Catholic Charities, and

WHEREAS, Russell was erroneously transferred from Title II to  
Title VI on October 15, 1979, NOW, THEREFORE, BE IT

RESOLVED that Russell Hahn be transferred to Title II, retroactive  
to October 15, 1979, and BE IT FURTHER

RESOLVED that his title be changed to Social Worker I, retroactive  
to December 4th, 1979, at an annual salary of \$9,487.00.

Upon Roll Call....

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

Item No. 40 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following be rehired by the Cheektowaga Recreation Department and Senior Citizens Division for the year 1980 to continue to provide for the ongoing programs:

Rink Personnel - \$2.90/hr.

Norman Bitterman  
David Gasiewicz  
Dan Allen  
Barry Hall  
Dean Lach  
Mary Ratka  
Karen Wilson  
Barbara Wojcik  
Joseph Wojcik

Rink Personnel - \$10.00/hr.

Lise Woolrich

Recreation Attendants - \$3.25/hr.

Larry Brownell  
Barbara Fiorello  
Melissa Prorok  
Maureen Schneider  
Carolyn Stawasz  
Carol White  
Donald Wipperman  
Jean Pesesky  
Don Levan  
Bill Fenske  
Cindy Feyrer

Maryvale Winter School Programs

\$4.00/hr

Richard Binner

\$3.00/hr.

Bob Wiseman  
Mike Sauer  
Frank Sauer  
Tom Block

Depew Winter School Programs

\$4.00/hr.

James Fowlow  
Michael Grabek

\$3.00/hr.

Michael Argentieri  
David Ciemny  
Jeffrey Thoms  
Jay Fowlow

J.F.K. Winter School Programs

\$4.00/hr.

Peter Odrobina  
Lori Janik

\$3.00/hr.

David Panek  
Michael Azzarello  
David Zndrzejewski  
Kurt Pilarksi  
Martin Nowak  
Ray Wilson  
Keith Yorke  
Jeffrey Pijacki  
David Raczuk  
Michael Gibbons  
Michael Dziamski

Senior Citizen Division

Recreation Attendants - \$3.50/hr.

Kathleen Dombrowski  
Sylvia Frank  
Laura Hollenbeck  
Geraldine Kempton  
Henry Kranz  
Nicholas LaBruna  
Carol Lonczak  
Carol Milkiewicz  
Adele Makowski  
Dorothy McManus  
Ann Skowron  
Ruth Stotz  
Marcyann Strumpf  
Genevieve Wasielewski  
Mildred Zaskowski

Senior Citizen Division

Group Leaders - \$3.00/hr.

Sally Citta  
Marie Fredericks  
Mary Grau  
Charlotte Heeb  
Eugenie Hitzel  
Valerie Irmeler  
Sonia Przybysz  
Adele Sicignano  
Jean Wisniewski  
Irene Zyglis

Upon Roll Call....

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

Item No. 41 Motion by Councilman Dux, seconded by Councilman Johnson

BE IT RESOLVED that the following individuals be and hereby are rehired as part-time clerks in the Justice Court at the following hourly rates:

1/21/80



Item No. 41 cont'd

Irish Kolbert	\$3.25
Susan Schottman	\$3.35

Upon Roll Call....

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

Item No. 42 Motion by Councilman Dux, seconded by Councilman Rogowski

BE IT RESOLVED that the following be and hereby are rehired as seasonal laborers, as replacements for vacations as needed, in the Sanitation Department at an hourly salary of \$3.10:

Eileen Christopher,  
Elizabeth Fox,  
Michael Bobeck,  
Raymond Jablonski,  
Anthony Broniszewski,  
Frank Dalka,  
Todd Meyers,

Upon Roll Call....

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

Item No. 43 Motion by Councilman Dux, seconded by Councilman Burst

BE IT RESOLVED that the following individuals be and hereby are hired as seasonal employees in the Town Central Garage at the hourly rate of \$3.10:

Robert Sprada  
Bernard Wojtkowiak

and BE IT FURTHER

RESOLVED that Mark Zielonka, Cheektowaga, New York be re-hired in the Facilities Department, as a seasonal employee, effective immediately at \$3.10 per hour.

Upon Roll Call...

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

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Niagara University, College of Business Administration is sponsoring a one day seminar on "The Arbitration of Discipline and Discharge Cases", on Wednesday, February 6, 1980, in Lockport, New York, and

WHEREAS, Edward A. Kowal and Christopher A. Taber have requested a one-day excusable leave of absence to attend said one-day seminar on behalf of the Town of Cheektowaga Employee's Association, NOW, THEREFORE, BE IT

RESOLVED that Edward A. Kowal and Christopher R. Taber, are hereby granted a one-day excusable leave of absence to attend said seminar on Wednesday, February 6, 1980.

Upon Roll Call....

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

Item No. 45 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the Town of Cheektowaga has sought admission into the Federal Surplus Property Program, and

WHEREAS, James J. Matecki, Director of the Facilities Department, has previously been designated as the official "Screener" responsible for seeking out and directly examining Federal Surplus Property for the Town of Cheektowaga, and

WHEREAS, regular visits to view Federal Properties located at the Distribution Center, Scotia Naval Depot, Scotia, New York, is recommended by the Bureau of Federal Property Assistance, NOW, THEREFORE, BE IT

RESOLVED that James J. Matecki, Facilities Department Director, is hereby authorized to make periodic inspections at the Federal Surplus Property Depot located at Scotia, New York, and BE IT FURTHER

RESOLVED that James J. Matecki be reimbursed for all reasonable and necessary expenses incurred during each authorized inspection, in compliance with the standards established for travel expenses, as set forth by the Cheektowaga Town Board.

Upon Roll Call....

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

Item No. 46 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the following individuals be and hereby are authorized to attend the annual Association of Towns Convention, held in New York City, February 17, 18, 19, and 20, 1980, and that their reasonable and proper travel expenses be reimbursed by the Town:

Councilmen  
Town Attorney or Deputy  
Town Clerk or Deputy  
Town Engineer  
Town Historian  
Planning Board Chairman or alternate  
Tax Collector or Deputy  
Sole Assessor  
Highway Superintendent  
Town Justice  
Sanitation Foreman  
Facility Director  
Zoning Board Chairman or alternate  
Building & Plumbing Inspector

Upon Roll Call....

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

Item No. 47 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, it will be necessary for the Town Attorney to travel to Albany, New York and New York City to attend various conferences and discuss Town business and Town matters with various agencies in said cities, including creation and financing of sewer districts, bonding matters and other Town related business, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney be and hereby is authorized to travel to Albany, New York and New York City to attend such conferences, consultations and meetings as are necessary to transact Town business on behalf of the Town from the date of this resolution to December 31, 1980, and BE IT FURTHER

Item No. 47 cont'd

RESOLVED that the reasonable expenses of the Town Attorney incurred in said travel will be reimbursed by the Town.

Upon Roll Call....

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

Item No. 48 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, various business matters, especially associated with the Town wastewater projects, flood control and drainage projects are presently pending between the Town of Cheektowaga and a number of State Agencies and Departments in Albany, New York and Federal Agencies in New York City, and

WHEREAS, conferences, meetings and consultations are expected to be held between representatives of State and Federal Agencies and others with Town of Cheektowaga Officials to transact business on behalf of the Town during the coming months, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is authorized to attend such meetings as are necessary to transact business on behalf of the Town for a period ending December 31, 1980, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses to attend such meetings be reimbursed by the Town.

Upon Roll Call....

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

Item No. 49 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is presently engaged in comprehensive facilities planning, design and construction programs to improve collection and disposal of sanitary wastewaters generated within the Town, and

WHEREAS, these programs are being funded in part by grants from the United States Environmental Protection Agency, and

WHEREAS, minority business participation is required under Environmental Protection Agency Grants Assisted Programs, and

WHEREAS, the Town intends to establish a policy of commitment to a goal oriented Minority Business Enterprise (MBE) Participation Program and will subsequently issue a Policy Statement in this regard, and

WHEREAS, it is required to designate a MBE Officer to carry out the objectives of the Policy Statement, NOW, THEREFORE, BE IT

RESOLVED that Diane Farugia, Equal Employment Opportunity Officer for the Town of Cheektowaga is hereby designated as the Town of Cheektowaga Minority Business Enterprise Officer.

Upon Roll Call....

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

Item No. 50 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District #5 Service Area, including sewer system rehabilitation, and

WHEREAS, by resolution of the Town Board dated December 3, 1979, the engineering firm of Nussbaumer & Clarke, Inc. was retained to prepare plans and specifications for the Phase I Rehabilitation Work, and

WHEREAS, plans and specifications for Phase I Corrective Work in the form of various types of rehabilitation of the various elements of the collection system are nearing completion, and

WHEREAS, engineering services are required to assemble data necessary to secure State and Federal Funds in order to initiate construction of Phase I of the Correction Program and monitor said construction, and

WHEREAS, Nussbaumer & Clarke, Inc. has been found to be qualified to perform the required services, NOW, THEREFORE, BE IT

RESOLVED that Nussbaumer & Clarke, Inc. consulting engineers, are hereby retained to furnish the necessary engineering services in the submittal of an application on behalf of the Town for a Step 3 Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the application on behalf of the Town for said Step 3 Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the agreement with Nussbaumer & Clarke, Inc. for construction services after approval of this Town application by the New York State Department of Environmental Conservation and the New York State Environmental Protection Agency.

Upon Roll Call....

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

Item No. 51 Authorization for Town to pay portion to County for study and preparation of solid waste action plan  
See after Item No. 24.

Item No. 52 Motion by Councilman Johnson, seconded by Councilman Dux

BE IT RESOLVED that the sum of not more than \$1,000.00 be expended by the Town of Cheektowaga in order to complete the alterations on the signal at Cleveland Drive and Century Road to increase the lens size to four inches and to install a four-way flashing red signal; said funds to be obtained from the Signal Maintenance and Repair Fund.

Upon Roll Call....

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

Item No. 53 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, local drainage improvements are needed at Princeton and Marilyn, and

WHEREAS, some improvements can be accomplished by improvement of the hydraulics of the system, NOW, THEREFORE, BE IT

RESOLVED that the sum of \$2,200.00 be appropriated for said improvements, said expenditure to be paid from the Revenue Sharing Account.

Item No. 53 cont'd

Upon Roll Call....

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

Item No. 54 Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, local drainage improvements are needed at Rosemead and Fairelm, and

WHEREAS, some improvement can be accomplished by improvement of the hydraulics of the system, NOW, THEREFORE, BE IT

RESOLVED that the sum of \$3,300.00 be appropriated for said improvements, said expenditure to be paid from the Revenue Sharing Account.

Upon Roll Call....

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

Item No. 55 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 January 21st, 1980 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	8589,12457-13679		\$1,641,889.64
GENERAL FUND	13678,13680,13818-13932		56,276.94
SPECIAL DISTRICT FUND	6535-6594		761,260.09
SPECIAL DISTRICT FUND	6596-6661		99,491.19
HIGHWAY FUND	5051-5090,5130-5140		157,529.20
HIGHWAY FUND	5092-5129,5140		18,349.83
PART TOWN FUND	114-128,1189		15,752.90
PART TOWN FUND	130-135		268.74
CAPITAL FUND	287-299		1,293,723.35
TRUST AND AGENCY FUND	752-767		145,020.78
FEDERAL REVENUE SHARING FUND	282-303		3,134.55
FEDERAL REVENUE SHARING FUND	304-305		159.65
H.U.D. - C.D.B.G. FUND	206		54,937.48
DEBT SERVICE FUND	28,50,79,70-81		69,733.50
			<u>\$4,317,527.84</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

- Item No. 56 Letter from K. Meyers, Supervisor removing former Deputy Supervisor and appointment of new Deputy Supervisor  
Received and Filed.
- Item No. 57 Annual report of Town Clerk  
Received and Filed.
- Item No. 58 Annual report of Town Justice  
Received and Filed.
- Item No. 59 Annual report of Town Historian  
Received and Filed.
- Item No. 60 Health report for December, 1979  
Received and Filed.
- Item No. 61 Minutes of Library Board Meetings  
Received and Filed.
- Item No. 62 Theodore DeFedericis, Chief of Police - letter of commendation to Officer Philip Williams  
Received and Filed.

V. GENERAL COMMUNICATIONS

- Item No. 63 N.Y.S. Dept. of Trans. - Notice of Hearing regarding Greyhound Lines, Inc.  
Copy was sent to: Council Secretary.  
This item was Received and Filed.
- Item No. 64 E.C. Dept. of Public Works - sign permit application for intersection of George Urban and Harlem Road  
Copies were sent to: Council Secretary; Captain Lis, Police Department; Cheektowaga Traffic Safety Commission; Kenneth J. Meyers, Supervisor.  
This item was Received and Filed.
- Item No. 65 E.C. Dept. of Public Works - letter regarding signalization of Walden Avenue at Peppy Place  
Copy was sent to: Cheektowaga Traffic Safety Commission  
This item was Received and Filed.
- Item No. 66 Depew Village Clerk - letter and map changing name of street  
Copies were sent to: Steve Marcynski, Engineering Department; Cheektowaga Traffic Safety Commission.  
This item was Received and Filed.
- Item No. 67 Letter from Anthony Osswald, Secretary of Traffic Safety Commission regarding Police enforcement of winter show ban  
This item was Received and Filed.
- Item No. 68 Southline Fire District No. 10 Commissioners - letter requesting installation of hydrant on Dubonnet Drive  
Copy was sent to: Council Secretary  
This item was Received and Filed.

- Item No. 69 Mobil Pipe Line Co. - letter regarding personnel to be contacted during emergency  
Copies were sent to: Theodore DeFedericis, Choef of Police; Sewer Department; Alfred Wnek, Highway Superintendent; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector.  
This item was Received and Filed.
- Item No. 70 Letter and information regarding Association of Towns Convention  
This item was Received and Filed.
- Item No. 71 Cheektowaga Times - requests designation as Official newspapers for the Town  
This item was Received and Filed.
- Item No. 72 Letter from Ruth Anderson, on behalf of Vera London regarding flooding in her basement on December 25, 1979  
Copies were sent to: Kenneth J. Meyers, Supervisor; John V. Rogowski, Town Attorney; Chester Byran, Town Engineer; E.T. Clauss, Insurance Company.  
This item was Received and Filed.

VI. FROM THE TABLE

- Item No. 73 Appointment of Town Attorney  
  
Motion by Councilman Johnson, seconded by Councilman Burst to table this resolution.  
  
Upon Roll Call....  
AYES: Councilmen Johnson, Dux, Burst and Rogowski  
NAYES: Supervisor Meyers, Councilmen Swiatek and Wegner  
ABSENT: 0
- Item No. 74 Abolish position of Deputy Supervisor  
This item was withdrawn.
- Item No. 75 Appointment of Town Engineer  
This item was withdrawn.
- Item No. 76 Motion by Councilman Johnson, seconded by Councilman Burst  
  
RESOLVED that Chester L. Bryan, residing at Cheektowaga, New York is hereby reappointed Town Engineer of the Town of Cheektowaga at an annual salary of \$32,000.00 effective as of January 1, 1980.  
  
Upon Roll Call....  
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski  
NAYES: 0  
ABSENT: 0
- Item No. 77 Appointment of Registrar and Deputy Registrars of Vital Statistics  
This item was withdrawn.
- Item No. 78 Set salary of Executive Director of Youth Bureau  
This item was withdrawn.
- Item No. 79 Set salary of Assistant Chief of Police  
This item was withdrawn.

Item No. 80 Appointment of Deputy Receiver of Taxes  
This item was withdrawn.

Item No. 81 Appointment of Deputy Superintendent of Highways  
This item was withdrawn.

VII. SUSPENSION OF RULES

Motion by Councilman Johnson, seconded by Councilman Burst  
to suspend the rules to include the following items.

Upon Roll Call....

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

Item No. 82 Appropriation of funds for drainage improvements to protect the  
Madeira Drive Subdivision

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, local drainage improvements are needed to protect the  
Madeira Drive Subdivision, and

WHEREAS, the owner has given the Town permission to enter his  
lands, NOW, THEREFORE, BE IT

RESOLVED that the sum of \$3,500.00 be appropriated for site work to  
re-grade and shape the protective berm, expenditure to be paid from the Revenue  
Sharing Account.

Upon Roll Call....

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

Item No. 83 Authorization for Supervisor to sign agreement with Probation  
Department of Erie County

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Probation Department of Erie County has requested the  
Town of Cheektowaga to agree to join into a program to employ persons who are under  
the Erie County Probation Department supervision, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute  
said agreement on behalf of the Town, a copy of which agreement is attached and  
hereto and made a part hereof.

\* See next pages for copy of agreement



Item No. 83 cont'd

Upon Roll Call....

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

Item No. 84 Hiring of laborer in Sewer Maintenance

Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that Joseph Wisniewski, residing at 65 Haller Avenue, be and hereby is hired as a laborer in the Sewer Maintenance Department effective immediately; said employment pursuant to the terms and conditions set forth in the agreement attached hereto and made a part of this resolution.

\* See next three (3) pages for copy of agreement

AGREEMENT

This agreement dated January 21, 1980, between the Town of Cheektowaga, the Town of Cheektowaga Employees Association, and Joseph Wisniewski.

WITNESSETH:

WHEREAS Joseph Wisniewski wishes to be re-employed by the Town of Cheektowaga, and

WHEREAS certain questions have arisen concerning the ability of Joseph Wisniewski to perform his normal and expected duties as an employee due to chronic alcoholism, and

WHEREAS said Joseph Wisniewski has been afforded prior opportunities to return to Town employment which have proved unsuccessful, and

WHEREAS said Joseph Wisniewski has recently completed a period of detoxification at the Erie County Medical Center, and

WHEREAS the parties now desire to provide Joseph Wisniewski with one last opportunity for rehabilitation and Town employment,

NOW, THEREFORE, in consideration of the mutual promises herein, the parties agree as follows:

- 1) The Town shall re-hire Joseph Wisniewski on a probationary basis as a laborer.
- 2) Joseph Wisniewski shall sign a resignation from Town employment to be held in escrow by Craig L. Miller, Special Town Counsel, 1601 Liberty National Bank Building, Buffalo, New York, and the effective date of resignation shall be completed and said resignation

presented to the Town Board for acceptance upon the happening of any of the following events:

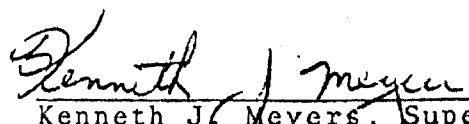
- a) consumption by Joseph Wisniewski of alcoholic beverages at any time, or
- b) failure by Joseph Wisniewski to attend Alcoholics Anonymous meetings and sessions as provided in paragraph 3 below:

3) Joseph Wisniewski agrees to attend meetings and sessions of Alcoholic Anonymous as directed by the Town's Director of Personal Services, Theodore Brayer, or his successor. These meetings or sessions shall not exceed four (4) times per week.

4) Mr. Wisniewski shall continue in a probationary status and the conditions herein for his re-employment and resignation shall remain in effect for a period of two years from his date of re-hire, subject to the Town's option of cancelling such conditions after expiration of a shorter period.

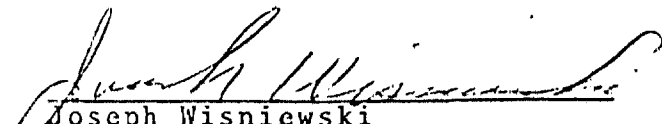
IN WITNESS whereof, the parties have affixed their signatures this 21st day of January, 1980.

FOR THE TOWN OF CHEEKTOWAGA

  
Kenneth J. Meyers, Supervisor

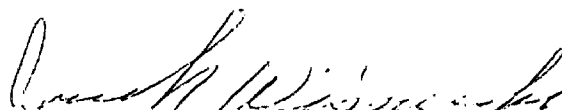
FOR THE TOWN OF CHEEKTOWAGA  
EMPLOYEES ASSOCIATION

  
\_\_\_\_\_

  
Joseph Wisniewski

RESIGNATION

This notice is to advise the Town Board that effective \_\_\_\_\_, I, Joseph Wisniewski, hereby resign from my employment with the Town of Cheektowaga.

  
Joseph Wisniewski

ACKNOWLEDGEMENT

STATE OF NEW YORK)      SS  
COUNTY OF ERIE    )

On this 21st day of January, 1980, before me the subscriber, personally appeared Joseph Wisniewski, to me personally known and known to me to be the same person described in and who executed the within resignation, and he acknowledged to me he executed the same.

  
Notary Public

JEAN A. ROSENBERRY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

Item No. 84 cont'd

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 85 Appointment to Cheektowaga Traffic Safety Commission

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a vacancy presently exists on the Cheektowaga Traffic  
Safety Commission, and

WHEREAS, the Screening Committee and full membership of the Cheektowaga  
Traffic Safety Commission have recommended the appointment of Carlo A. Perlino to  
fill said vacancy, as per the attached letter, NOW, THEREFORE, BE IT

RESOLVED that Carlo A. Perlino of Cheektowaga, New  
York, be and hereby is appointed to a three year term on the Cheektowaga Traffic  
Safety Commission.

\* See next page for letter

3

April 12, 1979

Mr. Kenneth J. Meyers, Supervisor  
Town of Cheektowaga  
Cheektowaga Town Hall  
Broadway & Union Road  
Cheektowaga, New York 14227

Dear Mr. Meyers:

It is requested that Carlo A. Perlino  
of 263 Zoerb Ave., Cheektowaga, be appointed  
as a member of the Cheektowaga Traffic Safety  
Commission.

This candidate was recommended by the  
Screening Committee and also voted on by the  
full board of the Traffic Commission.

Sincerely yours,

Anthony W. Osswald  
Executive Secretary

AWO:io  
cc: Council

Item No. 85 cont'd

Upon Roll Call....

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

Item No. 86 Authorization for Supervisor to submit application to Cheektowaga  
Central School District for use of auditorium

Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, this Town Board wants to hold a public hearing on the  
proposed Town Sanitary Sewer Remedial Program, and

WHEREAS, it is decided to use the facilities of the Cheektowaga  
Central High School Auditorium in order to accomodate a larger number of homeowners,  
and

WHEREAS, Cheektowaga Central School System requires that an applica-  
tion be submitted for said auditorium use at a fee to be paid to the Cheektowaga  
Central School System, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor, on behalf of this Town Board, is  
directed to submit the necessary application and that a fee of \$15.00 for four  
(4) hours use of the auditorium with an additional sum of \$7.50 for the next two  
(2) hours, if needed, be paid the Cheektowaga Central School District with the  
application.

Upon Roll Call....

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

Item No. 87 Retain Henry Szymanski to Offer to Purchase land and/or easements

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga and the owners of Cheektowaga  
Industrial Park located on the south side of Walden Avenue in an area generally  
between Harlem Road and the Buffalo-Cheektowaga City Line conferred and met on  
numerous occations in the past regarding proposals for the construction of a  
retention basin and related storm sewers, and

WHEREAS, this Town Board has previously authorized appraisals for  
the purpose of submitting the market value of said lands and/or easements on said  
premises and such appraisals have been duly received by the Town, NOW, THEREFORE,  
BE IT

RESOLVED that the Town Board does hereby authorize Henry Szymanski  
who has been retained by the Town on various land and easement acquisitions is  
hereby retained to offer to purchase said land and/or easements in accordance with  
the report of said appraisal for a sum as reported in the appraisal of Robert C.  
Laport, dated August 30, 1979.

Upon Roll Call....

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

Item No. 88 Motion by Councilman Swiatek, seconded by Councilman Wegner  
to adjourn the meeting.

RICHARD M. MOLESKI  
Town Clerk

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

EXTRACTS FROM MINUT  
OF CHEEKTOWAGA  
TOWN BOARD

At a regular meeting of  
Town Board of the Town  
Cheektowaga, Erie County,  
York held at the Town Hall, cc  
of Broadway and Union Road  
said Town on the 21st da  
January, 1980 at 7:00 o'clock  
Eastern Standard Time (

PRESENT:  
Supervisor Kenneth J. Meyer  
Councilman Frank E. Swiatk  
Councilman Thomas M.  
Johnson, Jr.  
Councilman Frank J. Dux  
Councilman James R. Burs  
Councilman Donald J. Weig  
Councilman

William F. Rogowski  
ABSENT: 0  
Motion by Councilman We  
Seconded by Councilman  
tek.

WHEREAS, Florence M. C  
Owner and Uniland Develop  
Company have applied f  
rezoning from M1 - Light I  
Pittsburgh District No. 1  
types of zoning. Held at 6  
p.m., 691-3746

INSULATE With cellulose. Do it  
yourself and save. Rent machine,  
purchase material. Call C. F. Ross,  
Inc. Tool Rental. 759-8286.

RESIDENTIAL Repairs, small  
remodeling, 9 years in Amherst,  
Egbertsville, Clarence, Akron,  
Jim. 542-5602.

W.R. KOELLE  
REMODELING

All types of home  
improvements and repairs.  
From the smallest fix-it  
to complete additions  
Expert, personalized service  
Insured. Call Bill after 6 p.m.  
937-9809

Painted Gray, Carlin from and  
other brands, \$18,500 turn-key job.  
Call Mr. Higgins, 214-637-3142.

CARTING  
MOVING, ETC.

HERMAN Movers: for all your  
moving needs, no job to big or too  
small, free estimates, 833-7464.

MAN With dump truck would like  
light hauling jobs, 773-9017 or 773-  
5587.

SIR GERALD'S  
CARTING AND MOVING

Polite, efficient service at  
unbelievable low prices.  
Local or distant.  
832-6756 or 897-2526

MOVING? No matter how large or  
small. Call Matt, 835-5052.

CATERING

CATERING Done by Helen Bender.  
Where quality counts. Weddings,  
dinner parties — large or small.  
741-2105.

CATERING Waitress for any occa-  
sion, including set/clean-up. 675-  
2593.

CHILD CARE

BABYSITTER Needed for infant,  
your home, Amherst area, 9-5 p.m.,  
Mon. - Fri. References required,  
834-0940.

BABYSITTER Needed 1 day per  
week for toddler, my home, Tran-  
sit/Klein area. Own transportation,  
references. 688-5629.

BABYSITTER Needed, our home  
or yours, 7 month old, 2 1/2 days per  
week, Williamsville. References,  
631-8278.

BABYSITTER Wanted, my home.  
School age child; mornings, even-  
ings or both, changing weekly.  
Campbell Blvd. and N. Franch area.  
688-2224.

.....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 ..25th day of ....Jan.....,

19...80, and the last insertion being on the ..same.....

day of ....., 19......

Subscribed and sworn to before me this 25th day

of Jan., 19 80

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. 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 February, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Jerry Gabryszak, Community Development Coordinator; Kenneth Kopacz, Executive Director of the Youth Bureau; Edward Leak, Recreation Director; Ronald Marten, Building & Plumbing Inspector; James Matecki, Director of the Facilities Department; Robert Miller, Deputy Town Attorney; Julia Reinstein, Town Historian; John V. Rogowski, Town Attorney; Andrew Schwenk, Sole Assessor; Richard Slisz, Erie County Legislator-4th District; Al Thrun, Cheektowaga Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent.

I. BIDS

Item No. 2 Storm sewer cleaning work at various locations in Town  
Bids referred to Chester L. Bryan, Town Engineer.

Item No. 3 Furnishing of material for a pre-fab metal building  
Bids referred to the Cheektowaga Youth Bureau.

II. PUBLIC HEARINGS

Item No. 4 This was the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga, which was adopted on July 17, 1967, hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof of 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 VIII

Stop and Yield Intersections

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

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CASTLEWOOD DRIVE	East-West	WEDGEWOOD DR.	Northbound	S.E. Corner

\* \* \* \* \*

Item No. 4 Cont'd.

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

III. RESOLUTIONS

Item No. 5 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, the regular Town Board meetings are held on the first and third Mondays of each month, AND

WHEREAS, the third Monday in February (February 18th) is a legal holiday, namely, Washington's Birthday, AND

WHEREAS, certain authorized Town Officials will be attending the annual Association of Towns meeting in New York City on that date, NOW, THEREFORE, BE IT

RESOLVED that the date of the second regularly scheduled Town Board meeting in February be and hereby is changed to Monday, February 25, 1980.

Upon Roll Call....

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

Item No. 6 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Public Management Institute and the Child Welfare League of America in conjunction with the University of Detroit is sponsoring a National Conference to be held February 11 through 13, 1980 in Washington, D.C., AND

WHEREAS, this conference will be for the purpose of assisting Youth Service agencies in enhancing their grantsmanship capabilities, AND

WHEREAS, this seminar will also provide conferees access to Federal officials in order to discuss possible funding arrangements for proposed projects, NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, be and hereby is authorized to attend said conference, AND

BE IT FURTHER RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses accrued in connection with said conference not to exceed a sum of more than \$500.00.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga through the Youth Bureau's YCCIP program, is desirous of entering into an agreement with Frontier Fiber, Inc. to purchase recycled paper for a period not to exceed eight (8) months, AND

WHEREAS, Frontier Fiber, Inc. has agreed to leave a trailer on Town property for the purpose of storage for said paper, provided that the Town of Cheektowaga assumes responsibility for any damages to said trailer while on Town property, NOW, THEREFORE, BE IT

Item No. 7 Cont'd.

RESOLVED that the Town Board approve that the Supervisor shall have authority to sign said agreement and assume responsibility for said trailer up to \$5,000.00.

Upon Roll Call....

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

Item No. 8 Councilman Swiatek, seconded by Councilman Burst

RESOLVED that the following individuals be hired to work for the Cheektowaga Youth Bureau in the temporary position of Work Crew Supervisor, at the prescribed wage schedule, based on previous work experience and training.

Work Crew Supervisor - at the rate of \$5.7168 per hour (Level I)

--Bruce Sebian

Work Crew Supervisor - at the rate of \$7.6129 per hour (Level IV)

--Richard N. Rogalski

and BE IT FURTHER

RESOLVED that these positions become effective, upon final approval of the County of Erie Employment and Training Office.

Upon Roll Call....

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

Item No. 9 Motion by Councilman Swiatek, seconded by Councilman Wegner

RESOLVED that the following named people be reappointed to the Cheektowaga Youth Board with the designated terms:

--Chester Nowacki

Term to expire December 31, 1982

--Sylvia Tokasz

Term to expire December 31, 1982

--Sally A. Vastola

Term to expire December 31, 1980

and BE IT FURTHER RESOLVED that the following people be appointed to the Cheektowaga Youth Board with the designated terms:

--Sylvia Lipowski

Term to expire December 31, 1983

--Richard C. Velez

Term to expire December 31, 1983

--James Garbacz

Term to expire December 31, 1982

Item No. 9 Cont'd.

and BE IT FURTHER RESOLVED that the following students be appointed to the Cheektowaga Youth Board with terms ending December 31, 1981:

--Beth Bargnesi

--Jay Biedny

--Alan Klembczyk

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga operates a van for the transportation of Senior Citizens, AND

WHEREAS, funds have been allocated for the salaries of Senior Citizen Van Drivers, NOW THEREFORE BE IT

RESOLVED that Virginia M. Carlin of Cheektowaga, New York 14225 and Ernest Corkill of Cheektowaga, New York 14225 be and hereby are hired as part-time van drivers (20 hours weekly) at the rate of \$3.50 per hour.

Upon Roll Call....

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

Item No. 11 Motion by Councilman Wegner, seconded by Supervisor Meyers

RESOLVED that the following be and hereby are rehired as seasonal laborers, as replacements for vacations as needed, in the Sanitation Department, at an hourly salary of \$3.10:

William Bannister,	Cheektowaga, NY
Kevin Zurenda,	Depew, NY
John Kaniecki, Jr.,	Sloan, NY

Upon Roll Call....

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

Item No. 12 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 "Clerk-Typist" position in the Town Justice 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 "Clerk-Typist" in the Town Justice Department be and hereby is created.

Upon Roll Call....

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

Item No. 12 Cont'd.

Upon Roll Call Cont'd.....

NAYES: 0  
ABSENT: 0

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the position of Clerk-Typist in the Town Justice Department has previously been created, and

WHEREAS, Sandra Metros, presently performs her duties under the Civil Service title of "Clerk" in the Town Justice Department, and it is the intent of this Town Board to upgrade the status of Sandra Metros, and

WHEREAS, Sandra Metros does appear on the most recent Civil Service List of eligibles for the position of "Clerk-Typist", NOW, THEREFORE, BE IT

RESOLVED that Sandra Metros, of \_\_\_\_\_, Depew, New York, be and hereby is promoted to the position of Clerk-Typist in the Town Justice Department at a salary in accordance with the current agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, said appointment effective the date of this resolution.

Upon Roll Call....

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

Item No. 14 Temporary appointment of "Clerk-Typist" in Town Justice Department. Item Withdrawn.

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Julia Boyer Reinstein be and hereby is appointed Town Historian of the Town of Cheektowaga, New York for a term of four (4) years, commencing January 1, 1980.

Upon Roll Call....

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

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

WHEREAS, a vacancy currently exists for a member to serve on the Cheektowaga Library Board, NOW, THEREFORE, BE IT

RESOLVED that Paul Tokasz, of \_\_\_\_\_ Cheektowaga, New York, be and hereby is appointed a member of the Cheektowaga Library Board to serve a five year term commencing January 1, 1980.

Upon Roll Call....

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

Item No. 17 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Housing and Community Development Act of 1977 requires the appointment of a Housing Affirmative Officer by municipalities participating in the Community Development Block Grant Program, and

WHEREAS, Kenneth J. Kopacz, previously appointed to the position

Item No. 17 Cont'd.

of Housing Affirmative Action Officer for the Community Development Block Grant Program has resigned from that position, as per the attached letter, NOW, THEREFORE, BE IT

RESOLVED that Jerome J. Gabryszak, Town Community Development Coordinator, be and hereby is appointed to the position of Housing Affirmative Action Officer for the Town of Cheektowaga.

\*See next page for copy of letter.

The  
Town of  
Cheektowaga



ERIE COUNTY, NEW YORK  
TOWN HALL, BROADWAY AND UNION ROAD  
CHEEKTOWAGA, NEW YORK 14227

716-686-3462

YOUTH BUREAU  
KENNETH J. KOPACZ  
EXECUTIVE DIRECTOR

YOUTH BOARD  
FRANK E. SWIATEK  
CHAIRMAN

January 10, 1980

Supervisor Kenneth J. Meyers  
Town of Cheektowaga  
Town Hall  
Broadway and Union Roads  
Cheektowaga, New York 14227

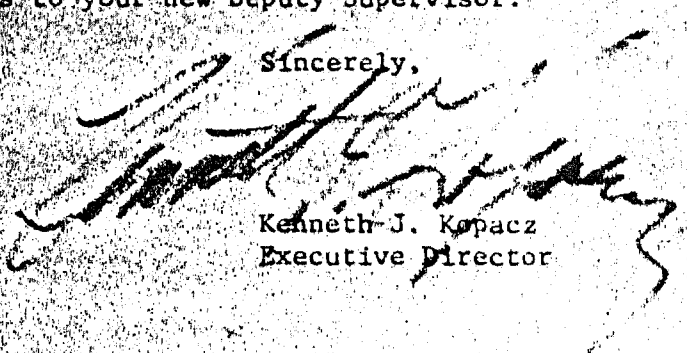
Dear Supervisor Meyers:

This is to acknowledge receipt of your letter dated January 4th terminating my duties as Deputy Supervisor of the Town of Cheektowaga.

At this time I would also like to take this opportunity to resign my positions as a member of the Town Safety Committee and as Affirmative Action Officer for housing discrimination. The latter appointment was made for the purpose of fulfilling this Town's obligations as a member of the Community Development Program of Erie County.

These duties were assigned to me because of my position as Deputy Supervisor. Therefore, I am resigning from these positions in order that you may rightfully assign these duties to your new Deputy Supervisor.

Sincerely,

  
Kenneth J. Kopacz  
Executive Director

KJK/lp

cc: Town Board Members  
Richard Moleski, Town Clerk  
Jerry Gabryszak,  
Community Development Coordinator  
Sylvia Slawiak  
Secretary, Safety Committee

*"Children are the world's most valuable resource and its best hope for the future."*

Item No. 17 Cont'd.

Upon Roll Call....

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

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

WHEREAS, the New York State Association of Towns is holding its annual meeting and conferences in New York City on February 17th, 18th, 19th and 20th, 1980, AND

WHEREAS, said Association shall hold its Annual Business Session on Wednesday, February 20th, 1980 and has requested the Town of Cheektowaga to appoint its Delegate to said meeting, NOW, THEREFORE, BE IT

RESOLVED that Councilman Frank J. Dux be and hereby is appointed Delegate to the Annual Business Session of the New York State Association of Towns on February 20th, 1980 on behalf of the Town of Cheektowaga.

Upon Roll Call....

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

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

WHEREAS, Harry L. Bollman, Police Officer in the Cheektowaga Police Department, has received orders to report for military training on February 16, and 17, 1980, 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

RESOLVED that the Cheektowaga Town Board approves said military service leave for Officer Bollman on February 16, and 17, 1980.

Upon Roll Call....

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

Item No. 20 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, Jeffrey L. Repka, employed as a General Mechanic in the Cheektowaga Facilities Department, received a six-month leave of absence through Town Board Resolution dated 8/6/79, AND

WHEREAS, Mr. Repka has requested in writing an additional six-month leave of absence without pay, for the purpose of engaging in a self-employment opportunity in another State, AND

WHEREAS, Article 9, Section E of the Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association provides for a leave of absence without pay, at the discretion of the Town Board, for the purpose as described above, NOW, THEREFORE, BE IT

RESOLVED that Jeffrey L. Repka be and hereby is granted a leave of absence without pay, for a period of six months, commencing on February 17, 1980, for the specific purpose of engaging in a self-employment opportunity in another State, and BE IT FURTHER

RESOLVED that according to Article 9, Section E, Mr. Repka is not



Item No. 20 Cont'd.

entitled to accrue seniority or any other benefits as provided while on said leave of absence.

Upon Roll Call....

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

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

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 25th day of February, 1980 at 7:00 o'clock P.M. Eastern Standard 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 7th day of February, 1980; said amendment being set forth in the Notice of Hearing.

\* \* \* \* \*

N O T I C E O F H E A R I N G

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 25th day of February, 1980 at 7:00 o'clock P.M. Eastern Standard 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

Article X is amended by adding thereto the following:

Section 104. Parking in excess of twenty-four hours prohibited.

Parking or standing is hereby prohibited on any street in the Town of Cheektowaga for a period in excess of twenty-four (24) consecutive hours.

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

\_\_\_\_\_  
RICHARD M. MOLESKI  
TOWN CLERK

\* \* \* \* \*

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst,  
Wegner and Rogowski  
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 7 day of Feb, 1980 and ending on the 7 day of Feb, 1980

*James Charters*

Signed

Sworn to before me, on the 7  
day of Feb, 1980

*Lillian A. Ansel*

Notary Public

**LILLIAN A. ANSEL**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 23, 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 25th day of February, 1980 at 7:00 o'clock P.M. Eastern Standard 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**

Article X is amended by adding thereto the following:

**Section 104. Parking in excess of twenty-four hours prohibited.**

Parking or standing is hereby prohibited on any street in the Town of Cheektowaga for a period in excess of twenty-four (24) consecutive hours.

**BY ORDER OF THE  
TOWN BOARD OF THE  
TOWN OF CHEEKTO-  
WAGA, ERIE COUNTY,  
NEW YORK**

**RICHARD M. MOLESKI**  
Town Clerk

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

WHEREAS, this Town Board duly held a public hearing on the 17th day of December, 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:

B. No parking anytime

CRANDON BOULEVARD	north side	from the east property line of 100 CRANDON BOULEVARD to the west property line of 166 CRANDON BLVD.
-------------------	------------	---

Section 102 is amended by adding thereto the following:

B. No parking anytime

CRANDON BOULEVARD	north side	from the east property line of 184 CRANDON BOULEVARD to the west property line of 162 CRANDON BLVD.
-------------------	------------	---

D. No standing here to corner

PEINKOFER DRIVE at UNION ROAD	north side	eighty-five (85) feet west of curb line of UNION 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.

(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 sign-board 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. 22 Cont'd.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

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 Feb., 1980, and ending on the 7 day of Feb., 1980

*James Charters*

Signed \_\_\_\_\_

Sworn to before me, on the 7  
day of Feb., 1980.

*Lillian A. Ansel*  
Notary Public

LILLIAN A. ANSEL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

57  
ig  
di  
n  
ll

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 February, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

ABSENT: 0

Motion by Councilman Wegner. Seconded by Supervisor Meyers.

WHEREAS, this Town Board duly held a public hearing on the 17th day of December, 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:

B. No parking anytime

CRANDON BOULEVARD, north side, from the east property line of 100 CRANDON BOULEVARD to the west property line of 166 CRANDON BOULEVARD

Section 102 is amended by adding thereto the following:

B. No parking anytime

CRANDON BOULEVARD, north side, from the east property line of 184 CRANDON BOULEVARD to the west property line of 162 CRANDON BOULEVARD

D. No standing here to corner

PEINKOFER DRIVE at UNION ROAD, north side, eighty-five (85) feet west of curb line of UNION 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.

(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 Rogowski, Voting AYE; Councilman Burst, Voting AYE; Councilman Wegner, Voting AYE.

man 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 February 4, 1980, 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. 22, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of February, 1980.

RICHARD M. MOLESKI  
Town Clerk

Item No. 23 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 2nd day of January, 1980 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. Parking prohibited in designated locations is amended by adding thereto the following.

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

C. No parking here to corner

EAST TREEHAVEN ROAD	West side	from the north curb line of KENSINGTON AVENUE to a point 100 feet therefrom
---------------------	-----------	---

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 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....

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

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 February, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

**ABSENT:** 0  
Motion by Councilman Wegner, seconded by Councilman Johnson.

**WHEREAS**, this Town Board duly held a public hearing on the 2nd day of January, 1980 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. Parking prohibited in designated locations is

amended by adding following.

The parking of vehicles is hereby prohibited in following locations:  
C. No parking between EAST TREEHURST and WEST side from the point 100 feet therefrom.

**Section 2. Time**  
(a) This amendment shall have effect when proposed in a reasonable number of parts, if any, which have been approved under Section 102 of the Vehicle and Traffic Law of the State of New York.  
(b) Any part of this amendment which is not approved under Section 102 of the Vehicle and Traffic Law of the State of New York shall be null and void from and after the date of approval in writing by the Town Board.

**Section 3. Title**  
This amendment shall be known as the Traffic Ordinance of the Town of Cheektowaga, Erie County, New York, in the villages of Cheektowaga.

**Section 4. Publication**  
That this Traffic Ordinance be published in the minutes of the Town Board and shall be published in the Cheektowaga paper published a printed copy posted on the bulletin board maintained by the Town of Cheektowaga, Erie County, New York, and a copy of the same be filed with the Town Clerk.

That this Traffic Ordinance be published in the minutes of the Town Board and shall be published in the Cheektowaga paper published a printed copy posted on the bulletin board maintained by the Town of Cheektowaga, Erie County, New York, and a copy of the same be filed with the Town Clerk.

to celebrate

twentieth Century Club and recently at a Lady, Mrs. Rosalyn Maria College. Her Chromatics Club. His program re Chopin's "Etude, Op. 10, No. 2."

Admission is free. Sister Mary Eva, native of Albion, received her music from the Washington, D.C. College in Manhattan School of Music in Louisiana.

"It was evident from her religious life for service in teaching a solid foundation laid first teacher in piano. For 30 years Sister served the Felician organist and directed and string orchestra, piano, organ and violin.

In addition, from 1956, Sister originated a project of music to foster interest and encourage talented area to pursue music.

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 7th day of Feb.

1980, and the last insertion being on the same

day of , 19.

Subscribed and sworn to before me this 7th day

of Feb., 1980

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, 1982

# 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

### 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 February, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

#### ABSENT: 0

Motion by Councilman Wegner, seconded by Councilman Johnson.

WHEREAS, this Town Board duly held a public hearing on the 2nd day of January, 1980 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. Parking prohibited in designated locations is

amended by adding thereto the following.

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

C. No parking here to corner EAST TREEHAVEN ROAD, West side from the north curb line of KENSINGTON AVENUE to a point 100 feet therefrom

#### Section 2. Time to take effect.

(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 Rogowski  
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 February 4, 1980 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. 23, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of February, 1980.

(SEAL)

Richard M. Moleski  
Town Clerk  
Feb. 7

George J. Measer

do hereby swear, deposes and says that he is the

publisher of the

Cheektowaga Bee

a newspaper published at

Williamsville, New York, that the

copy which the annexed printed slip taken from

of said paper, is a copy, was inserted and published

once a week for 1 weeks, the first

being on the 7th day of Feb.

and the last insertion being on the same

day of February, 1980.

Subscribed and sworn to before me this 7th day

of Feb. 7, 1980

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, 1982

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

WHEREAS, this Town Board duly held a public hearing on the 21st day of January, 1980 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. Stop intersections designated shall be amended by adding the following:

The following intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CENTRAL BLVD.	East-West	KILBOURNE ROAD	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	EASTLAND PKWY.	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	EAST GRAND BLVD.	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	WEST GRAND BLVD.	Southbound	N.W. Corner
CENTRAL BLVD.	East-West	MIDLAND DRIVE	Southbound	N.W. Corner
OLD STONE ROAD	East-West	MARYWOOD DRIVE	Southbound	N.W. Corner
MARYWOOD DRIVE	North-South	ELY ROAD	Westbound	N.E. Corner

ARTICLE X

Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations 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

WOODSIDE LANE	South side	from the west curb line of BORDEN ROAD to the start of the cul-de-sac
RIFFEL TERRACE	East side	from the south curb line of SOUTH TRANSITHILL DRIVE to the terminus

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.

Item No. 24 Cont'd.

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....

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

AFFIDAVIT-NEXT PAGE



PROOF OF PUBLICATION



Bee Publications Inc.

Publishers Of:

Amherst Bee Suburban Bee Clarence Bee Lancaster Enterprise  
Cheektowaga Bee

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 February, 1980 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 James R. Burst
Councilman Donald J. Wegner
Councilman William F. Rogowski

ABSENT: 0

Motion by Councilman Wegner, seconded by Supervisor Meyers.

WHEREAS, this Town Board duly held a public hearing on the 21st day of January, 1980 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. Stop intersections designated shall be amended by adding the following:

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

- Street, CENTRAL BLVD.; Direction, East-West; Entrance Street, KILBOURNE ROAD; Traffic Stops, Southbound; Sign Location, N.W. Corner.
Street, CENTRAL BLVD.; Direction, East-West; Entrance Street, EASTLAND PKWY.; Traffic Stops, Southbound; Sign Location, N.W. Corner.
Street, CENTRAL BLVD.; Di-

rection, East-West; Entrance Street, EAST GRAND BLVD.; Traffic Stops, Southbound; Sign Location, N.W. Corner.

Street, CENTRAL BLVD.; Direction, East-West; Entrance Street, WEST GRAND BLVD.; Traffic Stops, Southbound; Sign Location, N.W. Corner.

Street, CENTRAL BLVD.; Direction, East-West; Entrance Street, MIDLAND DRIVE; Traffic Stops, Southbound; Sign Location, N.W. Corner.

Street, OLD STONE ROAD; Direction, East-West; Entrance Street, MARYWOOD DRIVE; Traffic Stop, Southbound; Sign Location, N.W. Corner.

Street, MARYWOOD DRIVE; Direction, North-South; Entrance Street, ELY ROAD; Traffic Stops, Westbound; Sign Location, N.E. Corner.

ARTICLE X Parking, Standing and Stopping

Section 102. Parking prohibited in designated locations 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.

WOODSIDE LANE, South side from the west curb line of BORDEN ROAD to the start of the cul-de-sac.

RIPPEL TERRACE, East side from the south curb line of SO. TRANSITHILL DRIVE to the terminus.

Section 2. Time to take effect. (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 Rogowski 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 February 4, 1980 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. 24, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 4th day of February, 1980.

(SEAL) Richard M. Molecki Town Clerk Feb. 7

George J. Measer
I, George J. Measer, duly sworn, deposes and says that he is the publisher of the Cheektowaga Bee, a newspaper published at Cheektowaga, New York, that the copy of which the annexed printed slip taken from said newspaper, is a copy, was inserted and published once a week for 1 weeks, the first being on the 7th day of Feb., and the last insertion being on the same day, 1980.

Subscribed and sworn to before me this 7th day of Feb., 19 80

Signature of George J. Measer

Susan Schasel Notary Public in and for Erie County

SUSAN SCHASEL Notary Public, State of New York Erie County March 30, 1980

Item No. 25 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, George Urban Boulevard is a four-lane highway under the jurisdiction of the County of Erie and situated in the Town of Cheektowaga, AND

WHEREAS, George Urban Boulevard, at its intersection with Dick Road, is a heavily traveled thoroughfare, AND

WHEREAS, to expedite the safe flow of traffic through said intersection, it may be desirable to consider the installation of a left-turn arrow on George Urban Boulevard at Dick Road, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby memorializes the County of Erie to investigate the need for, and if appropriate, install a left-turn arrow on the George Urban Boulevard signal face at Dick Road in the Town of Cheektowaga, and BE IT

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Erie County Division of Highways, Department of Public Works.

Upon Roll Call....

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

Item No. 26 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is desirous of installing a traffic signal on French Road at Towers Boulevard, AND

WHEREAS, for several years, the Town of Cheektowaga has been seeking a permit from the County of Erie for the installation of said signal, AND

WHEREAS, the County of Erie has informed the Town of Cheektowaga that the permit requested by the Town would be granted only after the intersection of Towers Boulevard and French Road was realigned to the west so as to form a cross intersection with Nancy Place, AND

WHEREAS, the estimated cost of such a realignment project, including signals and hardware, property acquisition and labor, is approximately \$100,000, AND

WHEREAS, it is the opinion of the Cheektowaga Town Board and the Cheektowaga Traffic Safety Commission that the realignment of the French Road-Towers Boulevard intersection is not necessary due to the small volume of traffic utilizing Nancy Place, AND

WHEREAS, the Cheektowaga Town Board wishes to insure the safety and well-being of residents of the French Road-Towers Boulevard area by installing the traffic signal at that existing intersection as soon as possible, AND

WHEREAS, the Town of Cheektowaga has been working in conjunction with, and has the support of Erie County Legislator Richard Slisz to obtain the necessary permit, NOW THEREFORE BE IT

RESOLVED that the Cheektowaga Town Board hereby immediately memorializes the Erie County Deputy Commissioner of Highways to grant the permit required by the Town for the installation of a signal at the existing French Road-Towers Boulevard intersection, and BE IT

FURTHER RESOLVED that certified copies of this resolution be forwarded to Kenneth L. Reitmeier, Deputy Commissioner of Highways, Edward Rutkowski, Erie County Executive and Richard Slisz, Erie County Legislator.

Upon Roll Call....

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

Item No. 27 Memorialize County of Erie to grant permit for installation of signal at existing French Road-Towers Boulevard intersection.  
Item Withdrawn.

Item No. 28 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga adopted two Bond Resolutions on May 15, 1978 for the construction of certain bridges and culverts for the Scajaquada Creek and Tributaries Flood Protection project, and

WHEREAS, the consulting engineering firm of McFarland-Johnson Engineers, Inc. has requested revised construction administration fees related to this project, and

WHEREAS, these original bond resolutions did not provide funds for an Alexander Avenue pedestrian bridge and Beryl Drive, Broad Street and Chapel Avenue culverts, and

WHEREAS, considerable public interest and demand for the replacement of the Alexander Avenue pedestrian bridge has been displayed, and

WHEREAS, the Town Attorney and bond counsel of Hawkins, Delafield and Wood prepared the initial bond resolutions and reviewed all the related procedures, NOW THEREFORE BE IT

RESOLVED that the Town Attorney, the bond counsel of Hawkins, Delafield and Wood, and the Town Engineer assemble the revised financial data from the consulting engineers, including cost estimates for the Alexander Avenue pedestrian bridge and the Beryl Drive, Broad Street and Chapel Avenue culverts, and prepare a proposed additional bond resolution for Town Board consideration as soon as possible. The fees for their services are to be a charge to the Capital Project.

Upon Roll Call....

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

Item No. 29 Motion by Supervisor Meyers, seconded by Councilman Wegner

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

WHEREAS, the developer of the Coatesworth Part 10 Subdivision has submitted the required Public Improvement Permit Application, plans and specifications, permit fee and has filed the necessary drainage easements for Phase IA of this subdivision, NOW, THEREFORE, BE IT

RESOLVED that this Public Improvement Permit be approved for Coatesworth Part 10, Phase IA.

Upon Roll Call....

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

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

WHEREAS, the Walden area of the Town of Cheektowaga was designated as a neighborhood strategy area for improvements utilizing Community Development Block Grant Funds, and

WHEREAS, Nussbaumer & Clarke, Inc. was authorized to prepare final plans and specifications for the construction of a drainage system to serve the

Walden Area, and

WHEREAS, in order to expedite construction of said drainage system it is the desire of this Town Board to construct the project in phases, and

WHEREAS, at the request of the Town Engineer, the engineering firm of Nussbaumer & Clarke, Inc. modified plans and specifications to allow construction of the Phase I work of the Walden Avenue Drainage Project which construction will encompass the retention basin and outlet portion of the project and which modified plans and specifications are now completed, NOW, THEREFORE, BE IT

RESOLVED that the construction of Phase I of the Walden Avenue Drainage Project is authorized and that the Town Clerk is directed to publish a Notice to Bidders in connection with the construction of said drainage system, notice to be published in the BUFFALO EVENING NEWS, CHEEKTOWAGA TIMES and BUFFALO CHALLENGER, and, BE IT FURTHER

RESOLVED that the Town Board meet on the 25th day of February, 1980, at 7:00 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 meeting called for that purpose.

\* \* \* \* \*

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 25th day of February 1980, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of storm sewers and retention basin in the Walden Avenue Storm Sewer Project Area, Phase I construction, including structures, manholes, receiver and related work, complete, in place, and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

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

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of Storm Sewers in the Walden Avenue Storm Sewer Project Area, Phase I Construction."

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

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten



Item No. 30 Cont'd.

percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter in a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

The successful bidders will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

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

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

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

DATED: February 4, 1980  
PUBLISHED: February 7, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT-NEXT PAGE

Publication Affidavit

State of New York )  
                          ) SS.  
County of Erie      )

Barbara Bank

being duly sworn, desposes and says that she  
is Editor

of the Buffalo Challenger Newsweekly,  
a newspaper published weekly in the City  
of Buffalo, Erie County, New York, and  
that the notice, of which the annexed  
printed slip, taken from said newspaper,  
is a copy, was inserted and published in  
same once a week for 1 week,  
beginning on the 14 day of Feb.  
and ending on the 14 day of Feb.,  
~~1979.~~ 1980.

Barbara Bank

Sworn before me this 13  
day of March, 1980.

Daniel S. Workman, Jr.  
Notary Public

DANIEL S. WORKMAN, JR.  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

#### **NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 25th day of February 1980, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of storm sewers and retention basin in the Walden Avenue Storm Sewer Project Area, Phase I construction, including structures, manholes, receiver and related work, complete, in place, and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

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

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of Storm Sewers in the Walden Avenue Storm Sewer Project Area, Phase I Construction."

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

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

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

The successful bidders will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

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

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

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

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

*Gladys M. Sichter*, 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 ..... *February 7, 1980* ..... ;  
last publication ..... *February 7, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sichter*.....

Sworn to before me this ..... *8th* .....

day of ..... *February* ....., 19..... *80* .....

*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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 25th day of February 1980, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of storm sewers and retention basin in the Walden Avenue Storm Sewer Project Area, Phase I construction, including structures, manholes, receiver and related work, complete, in place, and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

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

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of Storm Sewers in the Walden Avenue Storm Sewer Project Area, Phase I Construction."

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

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10 percent) of the amount of the bid,

payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10 percent) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter in a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

The successful bidders will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

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

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

**RICHARD M. MOLESKI,**

Town Clerk

Town of Cheektowaga, New York

DATED: February 4, 1980

PUBLISHED: February 7, 1980



**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

**NOTICE TO BIDDERS**  
 NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, New York, in form and unless complied with, such bid will not be accepted.  
**BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, ARE EXPLAINED IN THE SPECIFICATIONS.**  
 Dated: February 4, 1980  
**RICHARD M. MOLESKI**  
 Town Clerk  
 Town of Cheektowaga,  
 New York


the following Valentine ad  
 message. To figure cost, print on town at the end of the last line

D. Eileen Perry  
 of the City of Buffalo, New York, being duly sworn,  
 deposes and says that she is Principal Clerk  
 of the BUFFALO EVENING NEWS, INC.,  
 Publisher of the BUFFALO EVENING NEWS, a  
 newspaper published in said city, that the notice of  
 which the annexed printed slip taken from said  
 newspaper is a copy, was inserted and published  
 therein once ~~XXXXXXXXXXXX~~  
~~XXXXXX~~ weeks, the first insertion being on the 7th  
 day of February 1980 ~~XXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
D. Eileen Perry

Sworn to before me this 8th day  
 of February 1980

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**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 25th day of February 1980, at 7:00 P.M. Local Time in the Town Hall in the town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of storm sewers and retention basin in the Walden Avenue Storm Sewer Project Area, Phase I construction, including structures, manholes, receiver and related work, complete, in place, and ready for use in accordance with the Contract Documents therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office in the Town Hall.

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

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of Storm Sewers in the Walden Avenue Storm Sewer Project Area, Phase I Construction."

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

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter in a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

The successful bidders will be required to furnish a performance bond acceptable to the Owner, in an amount equal to the contract award.

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

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11341, THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, ARE EXPLAINED IN THE SPECIFICATIONS.

Dated: February 4, 1980  
 RICHARD M. MOLESKI  
 Town Clerk  
 Town of Cheektowaga,  
 New York

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn,  
 deposes and says that she is Principal Clerk

of the BUFFALO EVENING NEWS, INC.,  
 Publisher of the BUFFALO EVENING NEWS, a  
 newspaper published in said city, that the notice of  
 which the annexed printed slip taken from said  
 newspaper is a copy, was inserted and published

therein once

~~XXXXXX~~ week, the first insertion being on the 7th

day of February 19 80

~~XXXXXXXXXXXXXXXXXXXX~~

*D. Eileen Perry*

8th day

19 80

*X. Vollmer Jr.*

FRANCIS X. VOLLMER JR.  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires March 30, 1981

Notary Public, Erie County, N. Y.

Item No. 31 Advertise for bids for the construction of Phase I - Walden Avenue Drainage Project.  
Item Withdrawn.

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

WHEREAS, the Town Clerk desires to continue competitive bidding for the moving of election machines to and from various locations in the Town for the year of 1980, 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 moving of election machines, notice to be published in the EXAMINER, and, BE IT FURTHER

RESOLVED, that the Town Board will meet on the 25th day of February, 1980 at 7:00 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 February 25, 1980 at 7:00 p.m., at the Town Hall, corner of Broadway and Union Roads, to move election machines to and from election polling locations.

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: February 4, 1980

\* \* \* \* \*

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst,  
Wegner and Rogowski  
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 7 day of Feb, 1980 and ending on the 7 day of Feb, 1980

*James Charters*

Signed \_\_\_\_\_

Sworn to before me, on the 7  
day of Feb, 1980

*Lillian A. Ansel*

Notary Public

LILLIAN A. ANSEL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 25, 1981

#### NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 25, 1980 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads, to move election machines to and from election polling locations.

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: February 4, 1980

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

WHEREAS, bids were duly received on January 21, 1980 as the result of advertisement, therefore, for the furnishing of work uniforms to the Town of Cheektowaga employees, and 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 January 31, 1980, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to the Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same hereby is awarded to Reliable Wholesalers, Inc., 146 Broadway, Buffalo, New York 14203 for:

Work Pants (sizes up to 42)	\$ 7.90 each
Work Pants (sizes 44 and up)	8.82 each
Shirts (long sleeve, sizes up to 17)	6.27 each
Shirts (long sleeve, sizes 17½ and up)	7.12 each
Shirts (short sleeve)	5.70 each
Coveralls (long sleeve)	13.59 each

said bid being the lowest responsible bidder meeting the specifications.

\*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  
~~716-683-8888~~  
686-3449

January 31, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Work Uniform Bids

Gentlemen:

At the Regular Town Board Meeting of January 21, 1980, bids were received and opened for the furnishing of work uniforms to Town employees as required thru the Cheektowaga Employees' Association Agreement. Three (3) bidders submitted bids on six (6) items of the specifications. The totals of the bids submitted are as follows:

Reliable Wholesalers, Inc.	11,933.00
United Uniform Company, Inc.	12,155.00
Steinwachs Safety Supply	12,584.00

It is recommended that the bid be awarded to Reliable Wholesalers, Inc., 146 Broadway, Buffalo, New York 14203 for submission of the lowest total bid meeting Town requirements.

This bid will be awarded on the basis of unit prices which are quoted as follows:

Work pants (sizes up to 42)	\$7.90
Work pants (sizes 44 and up)	8.82
Shirts (long sleeve sizes up to 17)	6.27
Shirts (long sleeve sizes 17½ and up)	7.12
Shirts (short sleeve)	5.70
Coveralls (long sleeve)	13.59

Very truly yours,

TOWN OF CHEEKTOWAGA

*Steven T. Marcynski*  
Steven T. Marcynski  
Sr. Engineer Assistant

**RECEIVED**

STM:dmr

JAN 31 1980

Richard M. Moleski, Town Clerk

Item No. 33 Cont'd.

Upon Roll Call....

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

Item No. 34 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, emergency sanitary sewer repairs were required at 16 Veterans Place in Sanitary Sewer District No. 3 and 9-13 Atwood Place in Sanitary Sewer District No. 5, which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that the vouchers of George Pagels' Contracting Co., Inc., 33 Homewood Road, Cheektowaga, New York 14227, in the amount of \$860.12 for 16 Veterans Place and \$1,238.46 for 13 Atwood Place to repair cave ins to the sanitary sewers be approved and ordered paid.

Upon Roll Call....

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

Item No. 35 Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, bids were duly received by this Town Board at a meeting held on January 21, 1980 for Athletic White Stripe for use in the Facilities Department for the year, 1980 as a result of advertisement therefor, and such bids were referred to the Facilities Department for analysis, tabulation and report, AND

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

RESOLVED that the bid be awarded to the lowest responsible bidder meeting specifications as set forth in the letter attached hereto and made a part hereof.

\*See next two pages for copy of letter and report.

# FACILITIES DEPARTMENT

JAMES J. MATECKI, DIRECTOR  
TEL. NO. (716) 891-8015

TOWN OF CHEEKTOWAGA  
CHEEKTOWAGA RECREATION CENTER  
2600 HARLEM ROAD  
CHEEKTOWAGA, NEW YORK 14225

February 4, 1980

Cheektowaga Town Board Members  
Town Hall  
Cheektowaga, New York

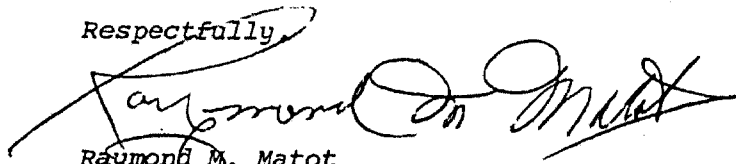
Honorable Town Board Members,

Attached please find analysis, tabulation and report concerning the bid item and bidders for the furnishing of Athletic White Stripe for the year, 1980.

I wish to request that this bid be awarded to Buffalo Dri-Mix Corp. of 11 Steelawanna Avenue, P.O. Box B, Lackawanna, New York 14218.

They are the only bidder and are the only supplier of this type of product in our area.

Respectfully,



Raymond M. Matot  
Superintendent of Buildings

RMM:rl  
Enc.  
cc: file 2

**RECEIVED**

JAN 29 1980

Richard M. Moleski, Town Clerk

Parks . . . Buildings & Grounds . . . Plumbing & Heating . . . Construction



Static White Strips

AMOUNTS BID FOR EACH ITEM BY BIDDER

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	K
BIDDERS	A	B	C	D	E	F	G	H	I	J		

1980 BID

Esolo Dri Mix Corp .042 PER LB.

NOTE -

.032 PER LB INCREASE OVER 1979 BID of .0362 LB

Item No. 35 Cont'd.

Upon Roll Call....

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

Item No. 36 Award of bid for portable chemical toilets for the year 1980.  
Item Withdrawn.

Item No. 37 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, bids were duly received by the Town Board at a meeting held on January 21, 1980 for Pool Maintenance Chemicals for use by the Facilities Department for the year, 1980, AND

WHEREAS, only one bid was received for said item, Pool Maintenance Chemicals, NOW, THEREFORE, BE IT

RESOLVED, that the bid of Jones Chemicals, Inc., being the sole bidder, be and hereby is rejected.

Upon Roll Call....

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

Item No. 38 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Pool Maintenance Chemicals for the physical year, 1980, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of said Pool Maintenance Chemicals, and BE IT FURTHER

RESOLVED that the Specifications for said Pool Maintenance Chemicals be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department at the Cheektowaga Recreation Center, 2600 Harlem Road, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 25th day of February, 1980 at 7:00 p.m. for the purpose of receiving sealed bids 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 the 25th day of February, 1980 at 7:00 p.m. Eastern Standard Time, at Town Hall, Broadway and Union Road for the furnishing of Pool Maintenance Chemicals for the physical year, 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in Town Hall.

The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the Specifications and contract documents, and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, 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: February 4, 1980

\* \* \* \* \*

Upon Roll Call....

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

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 for ..... 1 ..... weeks, the first  
insertion being on the 7th day of Feb. ....,  
19 80, and the last insertion being on the same  
day of ....., 19.....

**NOTICE TO BIDDERS**  
Sealed Proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 25th day of February, 1980 at 7:00 P.M. Eastern Standard Time at Town Hall, Broadway and Union Rd. for the furnishing of Pool Maintenance Chemicals for the physical year, 1980.  
Information for Bidders and Specifications may be obtained from the Town Clerk at his office in Town Hall.  
The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the Specifications and contract documents, and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, 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 Feb. 7

Subscribed and sworn to before me this 7th day  
of Feb., 19 80

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, 19 80

Item No. 39 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Louis DiRienzo has made application and requested a Special Permit for property located at 3519 Broadway, Cheektowaga, New York for the purpose of selling used automobiles, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 25, 1980 at 6:30 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, Burst,  
Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT-NEXT PAGE

**legal notices**

IT'S YOUR RIGHT  
TO KNOW  
The EXAMINER

Vol.5, No.7, Feb.14/80 Page 15

**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 25th day of February, 1980, at 6:30 o'clock P.M. Eastern Standard Time of said day for the purpose of considering the application of Louis DiRienzo for a Special Permit to sell used automobiles on property located at 3519 Broadway pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

The parcel of land situated in the Town of Cheektowaga, County of Erie, State of New York being part of lot 10, township 11, Range 7, being bound and described as follows: property situated on south side of Broadway Ave. with width being 192.92 ft. extending southerly 150' on both the east and west boundaries. Containing 28,800 sq. feet.

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

**BY ORDER OF THE  
TOWN BOARD**

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

**RICHARD M. MOLESKI**  
Town Clerk

**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 14 day of Feb 1980, and ending on the 14 day of Feb, 1980

Signed James Charters

Sworn to before me, on the Feb day of 27, 1980

Lillian A. Ansel  
Notary Public

LILLIAN A. ANSEL  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 22, 1981

Item No. 40 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Antonio Bellavia has made application and requested the rezoning of property located at 900 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 February 25, 1980 at 6:30 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, Burst,  
Wegner and Rogowski  
NAYES: 0  
ABSENT: 0

AFFIDAVIT-NEXT PAGE

**legal notices**

IT'S YOUR RIGHT  
TO KNOW

The EXAMINER

Vol.5, No.7, Feb.14/80 Page 14

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 25th day of February, 1980, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of Antonio Bellavia to Rezone from R-Residential District to C-Retail Business District on property located at 900 French Road and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All that Tract or Parcel of Land, situate in the town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 50, Township 10, Range 7 of the Buffalo Creek Reservation and according to Map filed in the Erie County Clerk's Office under Cover No. 2195, is known as Subdivision LOT No. 23, situate on the north side of French Road, east corner of Brentwood Drive.

Excepting and reserving therefrom any and all rights to French Road as shown on said map cover.

Excepting that part of the above described premises heretofore conveyed to the County of Erie by deed dated January 20, 1970 and recorded in Erie County Clerk's Office in Liber 7665 of Deeds at page 143 on January 30, 1970.

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

BY ORDER OF THE  
TOWN BOARD

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

Councilman James R. Burst  
Councilman Donald J. Wegner  
Councilman William Rogowski

RICHARD M. MOLESKI  
Town Clerk

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 14 day of Feb, 1980 and ending on the 14 day of Feb, 1980

Signed

Sworn to before me, on the 27 day of Feb, 1980

*William A. Jones*  
Notary Public

**WILLIAM A. JONES**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

Item No. 41 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga has previously appointed official depositories for 1980, and

WHEREAS, Citibank (Airport Plaza) was not included in that resolution, and

WHEREAS, said bank has indicated a renewed interest in bidding on Town idle funds, NOW, THEREFORE, BE IT

RESOLVED that Citibank (Airport Plaza) is appointed an official Town depository for the investment of idle funds on a competitive basis effective immediately, through December 31, 1980.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 42 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the Town Justices Department has requested substantial staff increases during the 1980 budget preparation process, AND

WHEREAS, the Town Board is anxious to provide reasonable staffing in relation to the increasing workload in that Department, AND

WHEREAS, the Town Justices have made comparative references to other municipal units in their budget presentation, AND

WHEREAS, a detailed study of the growth in the Town Justices' caseloads and budgetary performance as well as a comparison with other municipal units' staffing, facilities and operations is deemed desirable for a knowledgeable decision by the Town Board, NOW, THEREFORE, BE IT

RESOLVED that Percival G. Bixby & Company CPA's be and hereby are authorized to prepare a report as outlined in their letter of January 24, 1980, to be presented no later than March 24, 1980 at a fee not to exceed \$3,600.00, and BE IT FURTHER

RESOLVED that a budgetary transfer from "General Fund Contingent A1990.480" to Town Board - "Special Justice Department Review A1010.459" be approved to fund this study.

\*See next two (2) pages for copy of letter.

Percival G. **BIXBY**  
& Co.

CERTIFIED PUBLIC ACCOUNTANTS

January 24, 1980

431 DELAWARE AVENUE  
N. Y. 14202  
**RECEIVED**

JAN 31 1980

Mr. Kenneth J. Meyers, Supervisor  
and Honorable Town Board  
Town of Cheektowaga  
Broadway and Union Roads  
Cheektowaga, New York 14227

Richard M. Moleski, Town Clerk

Re: Special Review  
Town Justice Department

Gentlemen:

At the request of several Councilmen, we present this proposal of special services in relation to the Town Justices department for your consideration.

I - Services Proposed

A - Report of Financial and Statistical Data:

A report will be presented relating the personnel and operating costs of the department to statistical data on caseloads for the years 1975 to 1979. Caseloads will be referenced to Town revenues generated from same.

B - Report of Financial and Statistical Comparisons with other Municipal Units

A summary of Cheektowaga town data (from A above) will be compared to other municipal units. The number of units and period of comparison may be limited by the availability of comparative data.

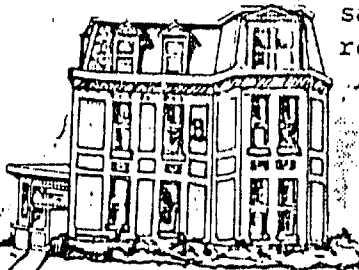
C - Report of Operational Comparisons with Other Municipal Units

An operational comparison report will be provided to include:

- 1 - Staffing (by number and function)
- 2 - Facilities
- 3 - Court Calendars

D - Report of General Observations, Conclusions and Recommendations

The data collected for the above reports and the general operating observations will be evaluated and a summary of same will be presented with any pertinent conclusions and/or recommendations.



PERCIVAL G. BIXBY, CPA  
1884-1968

JOHN W. SANBORN, CPA  
1890-1966

**RECEIVED**

JAN 25 1980

TOWN COUNCIL



Percival G. BIXBY & Co.

Mr. Kenneth J. Meyers, Supervisor  
and Honorable Town Board  
January 24, 1980  
Page Two

II - Timetable

The reports will be completed and reviewed with the Town Board not later than March 24, 1980 if authorized by February 5th. A subsequent meeting with the Justices will also be held if requested by the Town Board.

III - Fee

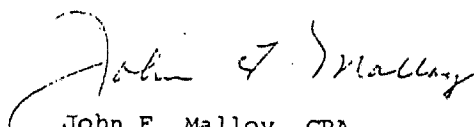
Separate time records will be maintained by our staff assigned to this special project. Our familiarity with Town records will aid in minimizing the time required for that portion of the review. The time required for assembling comparative data is difficult to project. The fee will be computed based on the actual separate time charges accumulated and will not exceed \$3,600.00.

If you desire to authorize this review a budget transfer from "General Fund Contingent A-1990.480" to "A1010.459 - Special Justice Review" is suggested to be a part of the authorization.

Please do not hesitate to call me if you have any questions on this proposal.

Very truly yours,

PERCIVAL G. BIXBY & CO.



John F. Malloy, CPA  
Partner

JFM/md

Item No. 42 Cont'd.

Upon Roll Call....

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

Item No. 43 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a storm sewer and catch basins are needed on Wellworth Place for a distance of some one hundred fifty-five feet (155') from Union Road, NOW, THEREFORE, BE IT

RESOLVED, that the sum of nine hundred dollars (\$900.00) from Revenue Sharing Funds be allocated for materials, which materials would be used by the Town Highway Department in the construction of said storm sewer and catch basins.

Upon Roll Call....

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

Item No. 44 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, a lump sum has been provided in the 1980 budget for the various Town cultural groups, and

WHEREAS, each organization prefers to have their own separate accountability for these budgeted funds, and

WHEREAS, a meeting of these groups in 1979 provided general agreement for a basis of allocation, NOW, THEREFORE, BE IT

RESOLVED that the \$19,000.00 lump sum appropriation be allocated as follows:

\$19,000.00	<u>From:</u>	<u>To:</u>	
A7270.438 - Cultural Groups		A7270.440 - Historical Society	\$ 575.00
		A7270.441 - Art Guild	1,360.00
		A7270.442 - Chorus	6,265.00
		A7270.443 - Symphony	6,265.00
		A7270.444 - Garden Club	330.00
		A7270.445 - Coin & Stamp Club	575.00
		A7270.446 - Imperial Regiment	1,075.00
		A7270.447 - Zenith	955.00
		A7270.448 - Cultural Society	1,600.00

Upon Roll Call....

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

Item No. 45 1980 Salaries for Town Officials and Employees not covered in any bargaining unit.  
Item Withdrawn.

Item No. 46 Designation of Official Newspaper of the Town of Cheektowaga.

Motion by Supervisor Meyers, seconded by Councilman Swiatek to table this item.

IV. DEPARTMENTAL COMMUNICATIONS

- Item No. 47 Building Permits.  
Item received and filed.
- Item No. 48 Supervisor's Statement of Funds - November, 1979.  
Item received and filed.

V. GENERAL COMMUNICATIONS

- Item No. 49 N.Y.S. Dept. of Transportation - Notice of order establishing parking restrictions at several intersections along Broadway.  
Item referred to Captain Lis-Cheektowaga Police Department, Cheektowaga Traffic Safety Commission and Council Office; received and filed.
- Item No. 50 N.Y.S. Dept. of Transportation - Appropriation of property re: State Project, Gardenville-Williamsville, Part 2.  
Item referred to John Rogowski-Town Attorney and Andrew Schwenk-Sole Assessor; received and filed.
- Item No. 51 Order to Show Cause - National Pride Equipment, Inc. vs. Town of Cheektowaga.  
Item referred to Town Insurance Company; received and filed.
- Item No. 52 Summons & Complaint - Dale P. Doktor vs. Town of Cheektowaga, Town of Elma, Officer J. Huntz, Cheektowaga Police Department and Police Chief.  
Item referred to Supervisor Kenneth J. Meyers, Theodore DeFedericis-Chief of Police, John Rogowski-Town Attorney and Town Insurance Company; received and filed.
- Item No. 53 Summons & Complaint - Charles & Karen Roberto vs. Town of Cheektowaga and James & Carol Nawojski.  
Item referred to Supervisor Kenneth J. Meyers, Theodore DeFedericis-Chief of Police, John Rogowski-Town Attorney, Ronald Marten-Building and Plumbing Inspector and Town Insurance Company; received and filed.
- Item No. 54 Summons with Notice - Mary & Paul Foyster vs. Town of Cheektowaga and Lunetta's Drive-In.  
Item referred to Supervisor Kenneth J. Meyers, John Rogowski-Town Attorney, Alfred Wnek-Highway Superintendent and Town Insurance Company; received and filed.
- Item No. 55 Notice of Claim - Richard J. Piontek vs. Town of Cheektowaga and County of Erie.  
Item referred to Supervisor Kenneth J. Meyers, John Rogowski-Town Attorney, Alfred Wnek-Highway Superintendent and Town Insurance Company; received and filed.
- Item No. 56 Notice of Claim - Travelers Insurance Company in behalf of Edward Chmura against Town of Cheektowaga.  
Item referred to Supervisor Kenneth J. Meyers, Theodore DeFedericis-Chief of Police, John Rogowski-Town Attorney, Cheektowaga Traffic Safety Commission and Town Insurance Company; received and filed.
- Item No. 57 Notice of Claim - Nationwide Insurance Company in behalf of Grace Pietrzak against Town of Cheektowaga.  
Item referred to Supervisor Kenneth J. Meyers, Theodore DeFedericis-Chief of Police, John Rogowski-Town Attorney & Town Insurance Co.; received and filed.

Item No. 58 Letter and copy of resolution dated 1/7/80 from Village of Depew re: Adoption of Local Law No. 1 of the year 1980 - Games of Chance.  
Item referred to Supervisor Kenneth J. Meyers, John Rogowski-Town Attorney and Town Council Office; received and filed.

Item No. 59 R. Maussner, President, Chktg. Chamber of Commerce - Request to speak re: Adoption of resolutions dated 1/29/80 with regard to Towns' Affirmative Action Policy and Removal of present Sanitation Foreman.  
Item referred to Honorable Members of the Town Board; received and filed.

Item No. 60 Mrs. H. Mayer, - Requests correspondence be read at Town Board meeting re: CHEEKTOWAGA TIMES Newspaper.  
Item referred to Supervisor Kenneth J. Meyers and Town Council Office; received and filed.

Item No. 61 Eggert Road Residents - Correspondence relative to the condition of Eggert Road.  
Item referred to Supervisor Kenneth J. Meyers, Town Council Office and Alfred Wnek-Superintendent of Highways; received and filed.

#### VI. FROM THE TABLE

Item No. 62 Appointment of Town Attorney.

Motion by Supervisor Meyers, seconded by Councilman Swiatek

RESOLVED that John V. Rogowski, Attorney-at-Law, residing at Cheektowaga, New York, is hereby appointed as Town Attorney at an annual salary of \$27,940.00, effective as of January 1, 1980.

Upon Roll Call....

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

RESOLUTION DENIED!

Item No. 63 Termination of present Working Foreman in the Sanitation Department.

Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that Ronald Zoeller be, and he hereby is terminated from the position of Working Foreman in the Sanitation Department.

Upon Roll Call....

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

Item No. 64 Appointment to position of Working Foreman in the Sanitation Dept.

Motion by Councilman Burst, seconded by Councilman Johnson  
to table this item.

Item No. 65 Termination of First Deputy Town Attorney.

Motion by Councilman Rogowski, seconded by Councilman Dux

BE IT RESOLVED that Robert E. Miller be, and he hereby is terminated from the position of First Deputy Town Attorney.

Item No. 65 Cont'd.

Upon Roll Call....

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

\*See next thirty-eight (38) pages for Court Reporter's Minutes on Item Nos. 62 through 65.

Minutes of Cheektowaga Town Board Meeting  
Number 3 (Items 62, 63, 64 and 65), held at the  
Town Hall, in the said Town of Cheektowaga, corner  
of Broadway and Union Road, Cheektowaga, New York,  
on the 4th day of February, 1980, commencing at  
7:00 o'clock, p.m.

PRESENT:

CHEEKTOWAGA TOWN BOARD:  
SUPERVISOR KENNETH J. MEYERS  
COUNCILMAN FRANK E. SWIATEK  
COUNCILMAN THOMAS M. JOHNSON, JR.  
COUNCILMAN FRANK J. DUX  
COUNCILMAN JAMES R. BURST  
COUNCILMAN DONALD J. WEGNER  
COUNCILMAN WILLIAM P. ROGOWSKI

JOHN V. ROGOWSKI, ESQ., Town Attorney  
and ROBERT MILLER, ESQ., Deputy  
Town Attorney.

RICHARD M. MOLESKI, Town Clerk.

\* \* \* \* \*

ITEM NO. 62: Appointment of Town Attorney.

SUPERVISOR MEYERS: Move to "From The Table,"  
please, Item 62.

MR. MOLESKI: Item 62 calls for "Appointment

of Town Attorney." Moved  
by Supervisor Meyers, seconded  
by Councilman Swiatek. "Resolved that John V.  
Rogowski, Attorney at Law, residing at 12 Pine Park,  
Cheektowaga, New York, is hereby appointed as Town  
Attorney at an annual salary of \$27,940, effective as  
of January 1, 1980."

SUPERVISOR MEYERS: Roll call, please.

MR. MOLESKI: Councilman Swiatek?

COUNCILMAN SWIATEK: Yes.

MR. MOLESKI: Rogowski?

COUNCILMAN ROGOWSKI: No.

MR. MOLESKI: Dux?

COUNCILMAN DUX: No.

MR. MOLESKI: Johnson?

COUNCILMAN JOHNSON: No.

MR. MOLESKI: Burst?

COUNCILMAN BURST: No.

MR. MOLESKI: Wegner?

COUNCILMAN WEGNER: Yes.

MR. MOLESKI: Supervisor Meyers?

SUPERVISOR MEYERS: Yes. Wait a minute. I just - -  
you know, there's a number of  
resolutions that, first of all,  
I hope everybody here gets an opportunity to speak.  
But I want everybody to speak in a professional manner.  
When somebody's speaking, let the person speak and then  
you'll have your turn. Got a little disorderly the  
last times and I think we can direct our remarks on a  
higher level than we have been. I think everybody's  
possibly contributed to that.

This resolution, and some of the  
other resolutions that are coming up here, are very  
upsetting to me, not only because they're people that  
I've personally been involved with or personal friends  
of mine, but I feel a big injustice happening here and  
I just hope that, and I can mention this about every  
resolution, I hope the Town Board realizes its respon-  
sibility and the position that it puts the Town in.  
I know the councilmen are active and I know that  
you're concerned with resolutions and we've acted on  
resolutions and conducted ourselves at a lot of  
meetings. But I just want to tell you, and I was in  
the same position when I was a councilman, but being  
the supervisor and being in the day to day operation  
of the various offices and various departments, I know  
the situations and I know the opportunities that we  
get into and, you know, it's okay to vote things here  
and leave tonight's meeting and go on your way, but  
this business has to be done and in all these various  
cases, what we're really doing, I was convinced over



the last four years we've made a lot of accomplishments and it wasn't just myself, it was the Board moving together to move the Town ahead and I think we've accomplished a lot of things and I was looking forward to the second administration to continue that, but what I look at here is like a dismantling. We're taking key people that have performed well, and I'm not going to be critical of the people being named here, but we've got the people that are doing their job and they've done it well. And I think by disrupting these various organizations, we're going to definitely hinder the Town's operation and we're going to carry over to the other departments that we have and I think we're going to affect the conduct and abilities of other people that are also performing in similar areas. And I think it's really detrimental. It's very upsetting to me. I take this job very seriously, whether the people believe it or not. I see the things happening.

In the area of Government now, it's more difficult than it's ever been and I think we're going backwards and I think we're honestly hurting individuals of the Town. I think we're short-changing them in a lot of respects and I just hope that we act as seven men on the Board, make some big decisions, I just hope that everything comes out of this thing well and I'm not threatening, I hope the gentlemen, in dismissing people, I hope you'll bear the responsibility if actions occur from these various resolutions, that you'll stand up and say, "Yes, we're the ones that voted for that and that." Nobody putting the blame on me for some of my votes, that the Town Board did it. I hope, when that time comes, you'll be that visible and that vocal.

(Audience interruption.)

MR. COTTER: I - -

COUNCILMAN SWIATEK: First of all, I have a question and then I have a statement. There was a resolution filed by

Councilman Johnson and Councilman Dux at our Organizational Meeting: "Resolved that John Rogowski, Attorney at Law, residing at 12 Pine Park, Cheektowaga, New York, is hereby appointed as Town Attorney at an annual salary of \$27,940, effective as of January 1, 1980." And here, one short month later, they vote against a resolution appointing John Rogowski. I'd like to find out what happened in the last month that changed your minds. Mr. Johnson, this is directed at you.

(Audience interruption.)

SUPERVISOR MEYERS: All right, could we have some order, please!

COUNCILMAN JOHNSON: There were two resolutions. As everyone recalls - -

(Audience interruption.)

SUPERVISOR MEYERS: All right, please, please. Please.

COUNCILMAN JOHNSON: We've sat here and listened to speeches from the audience and from the Supervisor and other people. I think that courtesy must work both ways. I was very encouraged by the recent remarks of the Supervisor. We needed that type of courtesy at the last two meetings.

With respect to that particular resolution, there were several duplicative resolutions for the reorganization meeting because the Board, as a

group, had not discussed reorganization and there were filed resolutions in mass on both sides in terms of all the appointments involved. That resolution was simply withdrawn. There was no action on it. There was no action on the other resolution on the agenda acting on the same item. I think that's all that needs be said.

COUNCILMAN SWIATEK: I'll tell you, I think the reason is that Mr. Rogowski refused to compromise his principles. He refused to be strictly obedient to the majority of this Town Board. I believe that he's given out opinions, based on his best judgment, based on his principles, that the majority of this Board simply doesn't agree with and under this - - under the doctrine of the majority of this Board, if you disagree with the majority, you get summarily dismissed from Town Government. And I think it's a very sad way - - I think the Supervisor of this Town was correct. I spent four long years putting together an administration that this community and other communities surrounding Cheektowaga can be very proud of. It took four years to do that. And just four short weeks, we see this thing coming apart. We see it being dismantled. And if it was done because of poor performance, you know, I would certainly stand and fight for that because, in the past, my record indicates that where there was poor performance, I felt that we should, in fact, dismiss people. We did for poor performance. But I think, on the basis of which it's done now, it's very wrong to the people involved; it's very wrong for the citizens of this community and it's just very wrong for this Town Board, as a whole, to do something like this.

John Rogowski was very instrumental in having me run for Town Councilman many, many years ago and, to me, John Rogowski represented everything in a town official that I wanted to be like, honest, having integrity, working for the people, and that's one of the reasons I went into town government was because John Rogowski talked to me and here John has put sixteen hard years into town service and he has served with a great deal of credit, he's brought credit to this community

and just to summarily dismiss the man after sixteen years of loyal service to this community, we just summarily dismiss the man - - I just think it's an awful thing to do to any individual and I think it's an awful thing to do to the Town of Cheektowaga.

(Audience interruption.)

SUPERVISOR MEYERS: I think you've said it very well, Councilman, and I just want to add just one more point to that. I think in talking to John Rogowski over the past couple months, in particular, I think he was somewhat aware of the situation, somewhat aware of the tabling and tabling at the last meeting. And I think, and I honestly believe, and I think he did too, that if he would compromise himself, if he would have - - he knew what the majority of the Board wanted out of him. He knew what the opinions were and I think if he would have given the opinions they wanted, he would have been retained and I think he knows that and I think it's a tremendous credit to Mr. Rogowski that he knew what was at stake and he had principles he stood by and, unfortunately, he's paying the price for it.

COUNCILMAN WEGNER: Before you start, Dennis, my position has been felt and stated many times and this one tonight, I was ill all day today, and now I'm even sicker. I felt - -

(Audience interruption.)

COUNCILMAN WEGNER: That's right, big deal. Speaking of secret meetings, there's been secret meetings all along and

that's disgusting for the Town. It's a tremendous step backward for something like this to happen and I challenge the integrity of these gentlemen and their credit for doing something like this. It's obvious, it's obvious why they're getting fired. It's just rotten. And I don't think the people want to be represented this way.

MR. CIOTUSZYNSKI: My name is Dennis Ciotuszynski and I live at  
and no matter what side of the political fence anybody in this room stands on, I'll be admitted to the Bar of New York State as a lawyer in about two weeks and I had the opportunity to work with Mr. Rogowski these past two summers that I was home living in this town and no matter what side of the political fence you're on, I had an opportunity to go downtown and to talk to other members of the Bar of Erie County and they relayed to me everytime that Mr. Rogowski was an authority in municipal law and let me suggest to you that it's no easy task to be an authority in municipal law. Anybody goes to law school knows that courses in municipal law are not taken. It's literally years of development to develop an expertise. I think no matter what side of the political fence anybody in this room falls on, I think it's a very sad day and a very irresponsible act and a very childish one on the part of this Town Board to just throw away years and years of experience by a man who is considered, truthfully, as an authority in municipal law in this community and I think it's a sad day in Cheektowaga.

(Audience interruption.)

MR. COTTER: I'm John Cotter,  
Cheektowaga. I have here a group of petitions that a bunch of us concerned citizens of the Town of Cheektowaga passed around during the five coldest days that we've had this year. If I may, in the past four years, much progress

has been made in improving a development of a professional organization within the departments of the Town of Cheektowaga. In recent weeks, there have appeared signs that this progress may be halted. We, the undersigned, residents of Cheektowaga, urge the Town Board to retain the expertise and experience built up in the administration of Town operations. Department heads and others who have demonstrated their ability should be kept in their jobs. We call on the Town Board to demonstrate its commitment to efficiency by confirming the reappointments of those who have shown they can handle the job.

Mr. Town Clerk, I have here 2,136 signatures that have been raised in the last five days. Now, in front of each of your four gentlemen, I see a sign with your name and underneath it it says "Councilman." I think there are too many letters in that. I think that should be spelled "C-o-m-m-a-n."

(Audience interruption.)

SUPERVISOR MEYERS: Mr. Rogowski.

MR. COTTER: We had five days to raise it. If you want fifteen thousand, we'll get them.

MR. ROGOWSKI: May I speak, please. It, apparently, concerns me more than anybody else at this point and I appreciate the opportunity to speak to my fellow residents. It appears to me that what has been said here this evening by Councilman Swiatek and Supervisor Meyers is certainly very true and what was said by Mr. Dennis Ciotuszynski for whom I have a lot of respect. It's most saddening when a person puts in 16 years of

his life for a town government at a time when - - first of all, I was appointed a councilman, I was re-elected with a high vote. I served as councilman four years. I was then re-elected with a high vote and again serving 15 days of that second term, I had an opportunity to become Town Attorney. Mr. Kitzinger had retired.

As I look back on these years and think of the profession I've chosen, and the fact that I've desired to become a municipal attorney, together with my private practice, and you think this might be a part-time job, it's far from it. This particular job has taken more than forty hours a week of my time continuously and I'm not kidding anybody and those who work close with me know that. I didn't complain about that. That's the nature of the job. And many of the hours that were spent on that job were spent because of the demands of the legal profession, but I realize it was somewhat the nature of the job, but I had to remain aloof from politics insofar as being pressured to bring advice to the people of this town and the Town Board. I based my advice on what I learned in the law, after I researched the law and only then did I give the advice. In many of those cases, the advice was contrary to the likes of many people on the Board, not only this particular Board at this point, but in the past.

However, I've been able to talk to these people and they were able to reconcile their differences. I was never threatened with my job until - - until the first of this year. I wonder how we can explain, how anybody can explain how this could have happened. Especially in view of the fact as mentioned by Councilman Swiatek, that on January 2nd, and I don't care what Mr. Johnson says about the fact there were two resolutions, the intent at that time was very obvious. It was sponsored by the coalition in my favor. Exactly the same as the resolution sponsored by the minority in my favor. Since that meeting of January 2nd, not one of the majority, not one have contacted me and talked to me. It created a veil between myself and my work in the Town Attorney's office.

The only person I talked to, and I had to make a move to talk to, is my namesake, and,

fortunately, no relation of mine, Bill Rogowski. I talked to him on a Saturday afternoon at great length trying to persuade him not that I should be reappointed, not that he should support John Rogowski, but that he should just listen to what I have to say and my advice was given and why it was given and I told him about the research I had made and what my advice had been and what it should be and I thought he was convinced that he thought I was right.

He had some differences of opinion and I'm talking about differences. I'm not talking about personal or politics, but the law. When I look back on the 16 years of service to this Town, as councilman I was very close to Ken Kitzinger, our past town attorney. My field in life is the law and, therefore, I made it a point to stay close to the legal problems of this town and hopefully succeed Mr. Kitzinger when the time arrived and it did arrive. In fact, Mr. Kitzinger was going to retire in December of '69 and he retired in the middle of January, after I was appointed a councilman.

Now, when I look back on those years, I've fought many battles and, let me say one thing, aside from my legal profession and the ethics that I must follow, I'm also interested in politics because politics creates part of the mainstream of our life and, as a politician, and not as an attorney, I became very much involved. I ran for councilman and I ran for constitutional delegate to the State Senate. I ran against Mr. Weber and again I ran for councilman on two occasions. And best of all, one of my biggest thrills of all my life is when I ran for Supreme Court Judge.

Now, I've won some and lost some. Some of these people on the Board have not been in tune to the fact that it may be able to take sixteen years to live with victory and defeat. I've tasted the sweetness of victory and the bitterness of defeat. How some people on this Board, who have no legal background or expertise, can come out and just summarily dismiss me without cause when my



own peers, not only my peers, but those above me, the Bar Association of Erie County, the Judiciary Committee, the Screening Committee of the Governor found me fit to run for the highest court in this area, now this is what really hurts, but I think I can take it. I'll be back. I'll be back - -

(Audience interruption.)

MR. ROGOWSKI: Let me say this much: Two years seems like a long time from now and I recall a conversation I had with Mr. Johnson, he had a cup of coffee with me one day, tells me what he intends to do, substitute attorneys in my office and not me, he was all for me, of course. But this was about three days before the organization meeting. But he told me Miller and so on and so forth, Mr. Zoeller, but he said, "After all, the people I have in mind to replace these people I'm sure you may not be too happy with, but in a few months everybody will forget about it." But let me tell you something right here and now. The election is two years from now, not even that. It's less than two years. The primaries are less than that. And the endorsements are less than that. You people have that much time to get yourselves put together and try and campaign and do your job. But John Rogowski is starting to campaign right now. Right now.

(Audience interruption.)

MR. ROGOWSKI: If you'll bear with me just a little bit more, it makes me very sad to think that I thought I could have talked to one man, Mr. Billy Rogowski, Mayor of Sloan, apparently a well-healed politician and political person I'm talking about, not financial

appearance. I thought that perhaps he would have the common sense and decency to vote the way his conscience, if he had one, saw fit.

Let me tell you this much: I'll make every effort, even though Mr. Billy Rogowski will be on this Board, unless he's impeached or removed, but I'll make one prediction, that there will be replacements for at least two of these men on this Board. Among those replacements may very well be a Rogowski. And let me tell you one other thing; the reason for Mr. Bill Rogowski's success is because he came on the heels of my eight county race with all the publicity that I received and I'm sure that without that he would not have received one half of those votes.

(Audience interruption.)

MR. ROGOWSKI: Again, I want to thank the town residents from the bottom of my heart because I know how many people in this room and this town voted for me in my last election for judge. It was tremendous. It was one of the highest votes. I lost as far as the eight counties were concerned, but I lost honorably. And it was an election that was fought honorably and we had good men on that bench that won that election. It's most unfortunate this is happening today because I was hoping we could look forward to two years of good government, at least until such time that some differences could be worked out among these people.

But let me just end this conversation, if I may, with some more important and perhaps indicative thoughts as to what happened in particular to our town in the early 70's. Remember, I was a councilman prior to becoming Town Attorney and I was Town Attorney at the time of the unfortunate scandals of our town. I make no remarks about any individuals who were indicted because I am not - - I'm still an attorney. I feel an indictment is only an accusation. But let me tell you this: Because of my position as councilman and because of my position as Town Attorney

I was very, very closely scrutinized by the attorneys. I went through the entire gamut and I stood the test and I held my head high. I appeared before the Grand Jury on numerous occasions and signed a waiver of immunity. I wasn't afraid.

Furthermore, the district attorney's office had used my services to a great extent, not to go ahead to tell them what they did because I don't know what they did, these were individual instances, but they called upon me to use my expertise in town government to let them know how town functions of town government operate. So when they prepared their case, they were able to show the jury, as prosecutors, as to how a government should be operating and what should be done at certain meetings. In fact, I was a witness in numerous of those trials. Not for the purpose of pointing the finger of at any individual accused, but simply for the purpose of explaining certain legal procedures that occurred within a realm of the particular charges that were brought and I was proud of that and, believe you me, the scrutiny brought against me was very, very close and I withstood that and held my head very, very high and, with that, I just want to say to you, "I'll see you within the next two years."

(Audience interruption.)

MR. ROGOWSKI: Just a closing note, I'd like to thank Mr. Dux very dearly for his consideration of me. Frankie and I - - we lived together on the same block, the east side. We've played ball together. I think he's really made because one day I hit a home run while he was pitching. If he can remember that far back, that's a pretty poor setup.

\* \* \* \* \*

ITEM NO. 63: Termination of present working foreman in Sanitation Department.

MR. MOLESKI: Item 63, termination of present working foreman in the Sanitation Department. Moved by Councilman Burst, seconded by Councilman Johnson. "Be it resolved that Ronald Zoeller be, and he hereby is, terminated from the position of working foreman in the Sanitation Department."

SUPERVISOR MEYERS: I just want to make my remarks once again. I just hope that the burden, no matter how these things turn out, turns out in a lawsuit or whatever, hiring of the attorneys to defend the town from prosecution, losing of funds for not adhering to the Affirmative Action, I hope you gentlemen will stand up and be as loud and vocal as you are tonight.

COUNCILMAN WEGNER: This, to me, is very disgusting, things coming back to me that certain gentlemen are telling other people that these gentlemen are being fired because they haven't done the job and it's very easy to go out into the public and say, "I'm doing this because this guy isn't doing the job," but none of these gentlemen have been told by the people firing them that they haven't done a good job. I think if anybody deserves the first notice, they are the ones that are getting hung and I think it's a tremendous step backwards.

(Audience interruption.)

MR. MOLESKI: Councilman Swiatek.

COUNCILMAN SWIATEK: No.

MR. MOLESKI: Councilman Rogowski?

COUNCILMAN ROGOWSKI: Yes.

MR. MOLESKI: Dux?

COUNCILMAN DUX: Yes.

MR. MOLESKI: Johnson?

COUNCILMAN JOHNSON: Yes.

MR. MOLESKI: Burst?

COUNCILMAN BURST: Yes.

MR. MOLESKI: Wegner?

COUNCILMAN WEGNER: No.

MR. MOLESKI: Supervisor Meyers.

SUPERVISOR MEYERS: No. At this time - - I'm sorry, Mr. Maussner, I know you had a communication from the Chamber. I'll recognize you at this time if you want to make a presentation.

MR. MAUSSNER: Town Board of Cheektowaga, it grieves me to read this resolution, as president of the Chamber of Commerce of Cheektowaga, somewhat after the fact. However, at a very special meeting of the Cheektowaga Chamber and the Board of Directors, two resolutions were passed which have to do with the affairs of this town and I was asked to publicly read these resolutions so that they may become part of the public record. I'll now read the first resolution.

"WHEREAS, the Board of Directors, by previous resolution, has called for an Affirmative Action hiring policy for the Town of Cheektowaga and,

WHEREAS, the Town Council of Cheektowaga has unanomously adopted an Affirmative Action policy in accordance with Federal guidelines and,

WHEREAS, the Town of Cheektowaga has been duly advised by Federal agencies that failure to adopt and implement mandated Affirmative Action hiring practices will result in loss of Federal funds and,

WHEREAS, loss of such funds would adversely effect business and industry as well as citizens of our towns and,

WHEREAS, elements of the Town Board are presently endeavoring to create vacancies in selected appointed positions in Town Government and,

WHEREAS, there exists no evidence to date that the Affirmative Action policy has been properly executed to fill such anticipated vacancies,

Be it therefore

RESOLVED, that the Board of Directors of the Cheektowaga Chamber of Commerce extends greetings to the Town Board and be it further resolved that the Board of Directors elects to notify the Town Board that any and all councilman shall be held accountable by business, industry and citizens of Cheektowaga for the loss of Federal Funds resulting from improper hiring practices not in harmony with the adopted Affirmative Action policy, and be it further

RESOLVED, that a copy of this resolution be sent to each member of the Town Board by registered mail and promulgated throughout the Town.

Signed by my hand this day,  
January 29th, 1980,  
RICHARD A. MAUSSNER, President."

This is the second resolution:

WHEREAS, the position of the Cheektowaga Town Sanitation foreman is filled through a political appointment system and serves at the pleasure of the Town Board and,

WHEREAS, the present Sanitation foreman has served in that capacity for 3 1/2 years with notable distinction, especially among his colleagues within the Counties of Erie and Niagara, and,

WHEREAS, elements of the Town Board are presently attempting to remove the present Sanitation Foreman from his position, be it therefore

RESOLVED, that the Board of Directors petitions the Town Board to refrain from removal of the present Sanitation Foreman unless, and until:

1. A replacement is located who has equal or greater expertise in all phases of the Town Sanitation Department.
2. Such replacement can represent the interests of the Town of Cheektowaga equally as well as on the Erie County Consortium for Waste Management.

3. Such a replacement selection process shall conform with adopted Affirmative Action policy.

RESOLVED, that a copy of this resolution be presented to the Town Board and Promulgated throughout the Town of Cheektowaga.

Signed by my hand this day,  
January 29th, 1980,  
Richard A. Maussner, President."

Thank you very much.

I would like to say, in closing, the Cheektowaga Chamber is empowered by its rules and by its principles that we stand for, to involve itself actively in the political process and we are vitally concerned in the affairs of this Town because we represent - - we are the only organization that represents the interests of the largest taxpaying group in this town. And I would strongly suggest that this Town Board heeds our advisement. Thank you.

MR. WEISSFELD:

My name is Ken Weissfeld and I reside at 49 Rutland Avenue.

I've heard several comments in the last three meetings involving this particular subject with Mr. Zoeller and, in all of those meetings, all of the comments brought up were revolving around the Affirmative Action plan. But I've never heard anyone here in this room explain to me what Affirmative Action meant to the Town of Cheektowaga. I realize it involves Federal funds. But everybody is arguing the point whether Mr. Zoeller's dismissal is in violation of that act. So not knowing what else to do, I took it upon myself to contact the Director of the Office of Federal Contract Compliance in Buffalo and in great conversations with him found that it indeed, this particular action taken by this Board tonight is not particularly in violation of the Affirmative Action plan. And that the hiring of personnel up through the ranks in any of our departments in this town is not in violation of the Affirmative Action plan.



Now, this is the information I got from the Director of the Federal office. You may not agree with his interpretation. But that's all I've got to go with. I can see no reason that these gentlemen sitting here making these decisions here tonight should take the harassment they have - -

(Audience interruption.)

MR. WEISSFELD: We have a seven member Board simply for the fact that no one individual or minority shall dictate the function of any town. I'm not saying I particularly agree with dismissal of the persons. I'm new to the Town of Cheektowaga. I do not know the personalities involved in these positions. I'm relying on the Town Council to make the judgments and we'll make our judgments later on. I think that Mr. Johnson, Mr. Burst, Mr. Rogowski and Mr. Dux should be commended for their continued convictions.

(Audience interruption.)

MR. JANICKI: My name is Chet Janicki. I live at How long have we been getting Federal Revenue Sharing Funds? How many years?

MRS. MAYER: 1972.

MR. JANICKI: Will you - - I'm up here. I'm speaking. Give me the courtesy. Let me speak. How long - -  
How many years?

SUPERVISOR MEYERS: About six years.

COUNCILMAN ROGOWSKI: About eight.

MR. JANICKI: All you gentlemen know that, I've been coming here twenty years, for twenty years we know, as Carter said about four, five months ago, if you're with me, you're going to get the cream; if you're going against me, you're going to get skimmed milk; you know. John and I are real good friends. The man, when he first ran, for your information, I got on the floor of the Democratic Committee, I submitted his name at that time for councilman. Right or wrong, John?

MR. ROGOWSKI: Right.

MR. JANICKI: I got on the floor for the gentleman. I'm not anti against him or anything else. But when you're talking Federal Revenue Sharing funds - - Where did this gentleman disappear from the Chamber of Commerce? He's talking about that we have to go on the Affirmative Action deal. When we did appoint a Mr. Swiatek, I questioned you at that time three and a half or four years ago, I asked you who did you have in mind for this job. You never told me. I got on this floor and I said you to put a person in this job, me being a truck driver for almost thirty-five years for over the road, I drove some of the heaviest, biggest equipment, you don't take a person off the street and put him in there in this job. You got to know streets, you got to know routing, tires, trucks, equipment. It's a big operation. Not because you have a title and say somebody else is going to do the job. Now, you appointed Zoeller. That floored me that day. You floored me and I know Ron maybe longer than you do because he was involved with

Little League with me because my kid knocked the brains out of his team in Little League.

Now, we went into this - - we're talking about Affirmative Action. How come nothing came up on this Affirmative Action when you appointed Ron Zoeller? Did nobody come up at that time that we would be on a jam at the Affirmative Action then? John, did you bring - -

MR. ROGOWSKI: I'd like to answer that question. Let me just say this, Chet: To bring the Board straight, three and a half years ago, we didn't have an Affirmative Action program going. We should have. We didn't.

(Audience interruption.)

SUPERVISOR MEYERS: Come on, please.

MR. ROGOWSKI: We didn't have an Affirmative Action program. We were required to do so and we didn't have one. So finally, early last year, I believe it was, year before, the pressure was on and it was shown to us that we had to comply and if they felt they're going to use Cheektowaga, not use, but come to Cheektowaga as an example and use that Affirmative Action, it was their prerogative and they did it and they did it in a proper fashion, whether you did like it or I liked it. Now, some communities haven't been hit by this because no one has complained, that's the point. In this case, someone had complained. And complained vehemently to the Internal Revenue.

Now, when they got wind of this, whether you agree with their decision or not, they said you people have violated Affirmative Action

principles and if you don't get going right now and set up an Affirmative Action plan according to Federal Regulations, you'll not receive anymore Federal Revenue Funds. So Supervisor Meyers, a few other people, myself, got together with some consultants, got together with people from Washington and we sat down and were told what had to be done. Once we were told what has to be done, you better do it.

Now, ever since this has been done, we have, in fact, retained consultants who have given us all the guidelines we need, but it takes an awful lot of expertise. Affirmative Action people have a field of their own and supported by the Government and again, we have to have something to show that we are doing what we are supposed to do. Mr. Meyers, through Diane Farugia, implemented the Affirmative Action program. Mr. LaGreca, with the CETA program, and the other Title 1 or 2 actions, also complied with Affirmative Action. They were complying with it before that because the CETA programs required these kind of things. You have to advertise and interview. Affirmative Action is a step beyond equal opportunity. A lot of people confuse it. They say if you're a minority, and you're not, we'll give you equal opportunity. In other words, if you have qualifications for a certain job and they may be very good qualifications, and a minority person comes back and his qualifications may not be as good as yours, but they have the minimal qualifications, that man should get the job. You might say what jobs are you talking about and to make it as brief as possible, this is a very complicated field. There are certain exceptions as to when Affirmative Actions come into the picture. When you're talking about a union contract, the union is protecting it. Or Civil Service.

Now, there are very few people in this town who are not protected by the union contract or by Civil Service. And, very briefly, they amount to the Town Attorney, Town Health Officer, Mr. Zoeller, they specifically state Mr. Zoeller as Working Sanitation Foreman, not his name, but the title.

Therefore, those particular positions are not protected by Civil Service. Therefore, they're subjected to Affirmative Action procedures which call for advertising in a minority newspaper, any local papers, taking applications, reviewing them in good faith and then making a choice.

Now, the affirmative - - some people get the - - that does not mean - - upward mobility is another exception. By upward mobility, if you've accepted an upward mobility in this town, this is our next phase is upward mobility, we do not have upward mobility and until such time as you have upward mobility coming up from the ranks, it does not come into the picture.

Listen, I've consulted considerably after our first meeting because I tell you, if I make a mistake, I'll admit it. If I made a mistake this time, fine, let it be that way. I've told in no uncertain terms that these positions are subject to Affirmative Action procedures. This is why we didn't have to do it two years ago and now we are being involved with many part-time positions. She'll be glad to show you the number of positions we have through Affirmative Action. This lady here with the senior - -

(Conversation inaudible between Mr. Janicki and Mr. Rogowski.)

MR. JANICKI: One more thing, John. Affirmative Action, when they took a minority, how do they arrive at minority?

MR. ROGOWSKI: They're listed, specifically listed.

MR. JANICKI: Excuse me, there's a colored person - - I'm not - -

(Audience interruption.)

MR. ROGOWSKI: You have a classification, talking about Spanish speaking people, Indian, black persons, Orientals and women.

MR. JANICKI: This would be of the minority?

MR. ROGOWSKI: Yes. You're entitled to vie for the job because if you're extremely well qualified, the judgment of the Board would then take effect, say, listen, we have three, four minority persons, but we feel, in our good judgment, after making a complete examination, that the non minority is the best qualified. But you have to go through those steps.

MR. JANICKI: Just two more things. Explain to me nepotism. Some of these people are here - -

(Audience interruption.)

MR. ROGOWSKI: Well, nepotism, it talks about giving jobs to your relatives.

MR. JANICKI: Thank you.

\* \* \* \* \*

ITEM NO. 64: Appointment to position of  
Working Foreman in Sanitation  
Department.

SUPERVISOR MEYERS: Next order of business,  
please.

MR. MOLESKI: Item 64 is the appointment to  
position of Working Foreman  
in the Sanitation Department.

COUNCILMAN BURST: I'll move to table it.

COUNCILMAN JOHNSON: I'll second the table.  
In so tabling, I want to say  
that we are moving by reason - -

(Audience interruption.)

COUNCILMAN JOHNSON: Our steps by exploring all  
the ramifications - -

(Audience interruption.)

COUNCILMAN JOHNSON: You know, I've listened to individuals make speeches here tonight, time and time again with considerably more courtesy than I'm being shown, and I'd like to say this: That we are moving in the direction that we feel will improve town administration and we are - -

(Audience interruption.)

COUNCILMAN JOHNSON: You're amazing. You're amazing. We're researching every ramification of every move that is made in terms of this Town Council proceedings. Now, I want to note that the gentleman to my left, at the direction of the Supervisor, these last three meetings, is recording every word stated here tonight relative to these actions. And I want you also to know that we've heard a parade of individuals whose intent was to intimidate this Town Board - -

(Audience interruption.)

SUPERVISOR MEYERS: Okay. I want to say, just before we get to - -

COUNCILMAN JOHNSON: You always just want to say some more.

SUPERVISOR MEYERS: I don't want this interpreted - - whether you believe me or not, Councilman Swiatek and Councilman Wegner will agree, I know Florian will, we're in a situation where we are like anti-you. I'm for Ron



SUPERVISOR MEYERS: We still need a roll call to table it. Mr. Pierce, do you want to speak on it now or after the - -

MR. PIERCE: I'd like to speak now, if it's okay.

SUPERVISOR MEYERS: Let's have the roll call and then you can speak.

MR. MOLESKI: Roll call on the tabling, Councilman Swiatek.

COUNCILMAN SWIATEK: It's the second time. Yes.

MR. MOLESKI: I don't think he understands.

MR. SWIATEK: Voting for tabling. Yes.

MR. MOLESKI: Councilman Rogowski?

COUNCILMAN ROGOWSKI: Yes.

MR. MOLESKI: Dux?

COUNCILMAN DUX: Yes.

MR. MOLESKI: Johnson?

COUNCILMAN JOHNSON: Yes, for reasons stated.

MR. MOLESKI: BURST?

COUNCILMAN BURST: Yes.

MR. MOLESKI: Wegner?

COUNCILMAN WEGNER: Yes.

MR. MOLESKI: Supervisor Meyers?

SUPERVISOR MEYERS: Yes. Okay, Mr. Pierce.

MR. PIERCE: Thank you, Mr. Supervisor.  
My name is Eugene Pierce - -  
Can you hear me now. I  
used to be an army drill sergeant. The recruits  
always said they could hear me a mile away, so I  
assumed the same thing here, but I guess that's  
not true.

A few months ago, I had the  
displeasure, I'd say, of maybe speaking out of  
turn and that's why I made sure I waited until  
it was my turn. Because I didn't want to end up  
being the victim of disorderly conduct again and  
being told I had to go to the Erie County Penitentiary  
for two more days. So I'm in order, right?

SUPERVISOR MEYERS: Yes.

MR. PIERCE: Okay, thank you. I think that one thing that's important though is that I've always felt, even before I moved to Cheektowaga ten years ago, that this is a great town. We have our problems, but I think that we should be very concerned with the democratic process and we should be very concerned with moving from a state of embarrassment to a state of crime. And I think that we can do it. You know, because in a democratic process, we all know how that operates and how that functions. And in the end, that's the way it will be. And I think that we should all live with whatever results from that democratic process and as we talk about Affirmative Action, and other things, I think we also talk about character, we talk about ability. And we must have both of those in order to have a viable town. So I would beg of you that as we move through life, let's not forget about Christ after Sunday. He would be with us for Monday to Saturday. We serve on Sunday as brothers and sisters. We should move throughout the community during the week and serve likewise and I think if we search our hearts and we realize that the body has a soul, I think things will be okay and I beg you to join with me and let's try and have this whole process to be a very orderly one and, above all, let's not let our emotions carry us away. Because if we do, our town, instead of being a town that we have today, it will be a town of disaster and don't any of us want that. Thank you.

(Audience interruption.)

SUPERVISOR MEYERS: Back to our business, please.

\* \* \* \* \*

ITEM 65: Termination of Deputy Town Attorney.

MR. MOLESKI: Item 65 is the termination of the First Deputy Town Attorney, moved by Councilman Rogowski, seconded by Councilman Dux. "Be it resolved that Robert E. Miller be, and he hereby is, terminated from the position of First Deputy Town Attorney."

SUPERVISOR MEYERS: Roll call, please.

MR. MOLESKI: Councilman Swiatek?

COUNCILMAN SWIATEK: No.

MR. MOLESKI: Rogowski?

COUNCILMAN ROGOWSKI: Yes.

MR. MOLESKI: Dux?

MR. MILLER: Don't do it to me Frankie, don't do it!

MR. DUX: Yes.

MR. MOLESKI: Johnson?

COUNCILMAN JOHNSON: Yes.

MR. MOLESKI: Burst?

COUNCILMAN BURST: Yes.

MR. MOLESKI: Wegner?

MR. WEGNER: No.

MR. MOLESKI: Supervisor Meyers?

SUPERVISOR MEYERS: No.

COUNCILMAN WEGNER: Could I make one little comment, since you talked to Florian. I think my position, I think you knew too because I talked to all of you fellows the day of the first meeting and I strongly feel that anyone who is to be terminated should have a just cause to be terminated and should have been talked to and spoken to previously. We absolutely have no problem with you whatsoever. However, in fact, I think what we should be doing and hope what we should be doing, since 64 is tabled, to think about Affirmative Action and until we know exactly what we're doing,

both in the Affirmative Action plan and also in the lawsuit going to be handed to us by Mr. Zoeller, I think we should be talking in terms of an interim Sanitation Department such as the Deputy Walter Dombrowski with Florian as a deputy. I think this is the way we should be going until - -

COUNCILMAN JOHNSON: I wonder where you heard that from.

COUNCILMAN WEGNER: I didn't hear that from you.

COUNCILMAN JOHNSON: You didn't hear much, Mr. Wegner. We've heard some personal attacks all evening by the opposition and - -

MRS. MAYER: You're sick.

COUNCILMAN JOHNSON: And some more, some more - -

MRS. MAYER: What are you doing to us?

COUNCILMAN JOHNSON: But when we talk about credibility - -

MRS. MAYER: You haven't got it.

COUNCILMAN JOHNSON: It's easy tonight to compliment Florian Majchrzycki; you win him over perhaps a little bit. It's very easy on the other hand to renounce the many criticisms that Mr. Wegner has lodged against each and every one of the individuals that have been mentioned with respect to changes in administration here. I've heard them all and I've heard - - I've heard a complete reversal by the gentleman. I want to say this, that decisions we make are with the idea that we'll improve administration and they are sincerely made and they likewise have nothing to do with personalities and have nothing to do with politics we hear now from elsewhere.

COUNCILMAN WEGNER: I say "bull," Mr. Johnson. I went over there, Mr. Johnson, and I spoke with those men and they knew where I stood long before I even made my mind up here, long before I decided. They knew where I stood. And I'll stick to my - -

COUNCILMAN JOHNSON: We didn't last year, we didn't the year before.

COUNCILMAN ROGOWSKI: Mr. Supervisor, if I may - -

COUNCILMAN WEGNER: Why you - - you lie.

COUNCILMAN JOHNSON: Read some tapes back to you.

COUNCILMAN WEGNER: You do that.

COUNCILMAN ROGOWSKI: I would just ask you people if you would please just bear with me for three minutes and I'll be brief and to the point. I've sat here for a month on this Board and I've listened to an awful lot of criticisms, harassment, whatever you want to call it, made on various people here. And certainly, I've served in public office for nine years prior to coming to this Town Board. And as John Rogowski indicated, he's had his ups and downs in political life and so have I, and I'm sure that most of these gentlemen have themselves. I've had to make credible decisions over those nine years, and I had to live by those decisions. We've had to make critical decisions here this evening, and I'm confident we're going to live by those decisions. Changes are made and if we're going to be naive to that fact, changes are made and they're made every year no matter where you go in public office, in municipalities, school districts, I don't care where you go, changes are made and, certainly, we've made the choice here. The majority of this Board has expressed their opinions on the choice they wanted to make and, certainly, I think the people ought to respect that opinion because there were choices, decisions made in the years prior and those were accepted.

I would like to just make a few other brief statements relative to much of what's been printed in the news media over the last couple weeks. Mr. Zoeller has indicated that if he was to be removed from his position, he was going to run to Washington and jeopardize the millions of dollars, Federal dollars that are given to this town. I'm speaking for myself here, that I cannot foresee that the Federal Government is going to take away Federal dollars because the Board majority wishes to improve the administration of the Sanitation Department.

(Audience interruption.)



COUNCILMAN ROGOWSKI: Please, if you will, I haven't interrupted anyone in this audience since I've been on the Board and I would appreciate the same courtesy extended to me. Furthermore, another gentleman on this Board, Councilman Swiatek, made a statement at the last Town Board meeting that in the 13 years that he's been in office, these were the two most disgusting meetings he sat on. I think only because is now on the other foot and doesn't seem to fit.

Councilman Swiatek, a long time Board majority member, seemed not to hesitate one bit to terminate once Town Attorney Gerry Walter for no reason whatsoever. However, there's been statements in the papers that these Town Board meetings have been run like a circus, and I only can remind you people that the ringmaster is our Supervisor.

(Audience interruption.)

COUNCILMAN ROGOWSKI: Certainly he has the knack, he has the knack of allowing those people to speak in the audience that he knows are supporting his position. Fortunately, to this point, this Board majority has not -- has realized who's been orchestrating this and has not retaliated. I think --

MRS. MAYER: Councilman Rogowski --

COUNCILMAN ROGOWSKI: Excuse me, Mrs. Mayer.

MRS. MAYER: You're excused permanently.

COUNCILMAN ROGOWSKI: I think enough has been said and I feel that too numerous opinions have been expressed here and it's time we get the business of promoting this Town underway. In a democratic society which we are living under, we've been living under for the last two hundred years or more, it's the majority rules and it's the purpose of this majority to rule in the best interests of this town. Majority speaks the loudest, but sometimes not the best.

SUPERVISOR MEYERS: All right. Let's finish up the agenda.

\* \* \* \* \*

ARTHUR J. CAPRIO, R.P.R., Court Reporter

Cheektowaga, New York 14225

\* \* \* \* \*

Motion by Councilman Johnson, seconded by Councilman Burst to Waive the Rules.

Upon Roll Call....

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

\* \* \* \* \*

VII. SUSPENSION OF RULES

Item No. 66 Warrant List.

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 February 4th, 1980 be and the same are hereby approved and the Supervisor is ordered to pay same.

Table with 3 columns: FUND, CHECK NO. FROM TO, and AMOUNT. Lists various funds like GENERAL FUND, SPECIAL DISTRICT FUND, etc., with their respective check numbers and amounts.

Upon Roll Call....

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

Item No. 67 Authorization for Town Planning Consultants to perform site and cost survey re: Senior Citizen Center.

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town is in need of new facilities for senior citizen programs and activities, AND

Item No. 67 Cont'd.

WHEREAS, various elderly residents and senior citizen organizations in the Town have voiced their views on the need for such facilities, AND

WHEREAS, Stuart Alexander, the Town's Planning Consultant, has offered to perform a site and cost survey of various buildings in the Town for the purpose of identifying and recommending a suitable structure for leasing and/or rehabilitation for utilization as a Town senior citizen center, AND

WHEREAS, said survey will be performed at no cost to the Town, NOW, THEREFORE, BE IT

RESOLVED that Stuart Alexander be and hereby is authorized to conduct said site and cost survey for the Town for the purpose of identifying a structure suitable for leasing and/or rehabilitation to serve as a Town senior citizen center and meet the needs of the Town's elderly residents, and BE IT

FURTHER RESOLVED that in performing said survey, Stuart Alexander is authorized to coordinate his efforts with and utilize the services of the Town's Senior Citizen Coordinator, Senior Citizen Group Leaders and other Town officials.

Upon Roll Call....

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

Item No. 68 Wage and holiday adjustments for School Crossing Guards.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town crossing guards have not received a wage increase for the 1980 year, and

WHEREAS, in meetings with the Town Supervisor a general agreement of a \$.25 hourly increase to \$3.60 was deemed acceptable to the representatives of this group, and

WHEREAS, three paid holidays were also agreed upon as Patriots Day, Columbus Day and Veterans Day, NOW, THEREFORE, BE IT

RESOLVED that retroactive to January 1, 1980, all crossing guards be paid \$3.60 per hour and be awarded the three paid holidays for 1980.

Upon Roll Call....

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

Item No. 69 Greetings and thanks to Canadian Government for safe return of six American citizens from Iran.

Motioned unanimously, seconded unanimously

WHEREAS, it was with extraordinary courage and great risk to their own personal safety that Kenneth Taylor, Canadian Ambassador to Iran, and members of his diplomatic staff took it upon themselves to shelter, assist and affect the safe escape of six American citizens, attached to the United States Embassy in Iran, from that nation, AND

WHEREAS, such heroic action is indicative of the Canadian Government's respect for and adherence to humanitarian principles and international order, AND

WHEREAS, the people of the Town of Cheektowaga are desirous of

Item No. 69 Cont'd.

expressing their gratitude to Kenneth Taylor and the Canadian Government for their unselfish act of friendship towards the United States and its people, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga, unanimously and on behalf of all the residents of Cheektowaga, does hereby extend greetings to the Government of Canada, and all its citizens, and offers its expressions of heartfelt and sincere gratitude to the Canadian Government for bringing about the safe return of six American citizens from Iran, and BE IT

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Prime Minister of Canada.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

Item No. 70 Motion by Supervisor Meyers, seconded by Councilman Swiatek to adjourn this meeting.

RICHARD M. MOLESKI  
TOWN CLERK

\* \* \* \*  
B I D S  
\* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 4 - February 25, 1980</u>	
2	Pool Maintenance Chemicals	1
3	Moving of election machines to and from polling places	1
4	Equipment and operators for Drainage Projects	1
5	Construction of Phase I, Walden Avenue Drainage Project	1
	<u>Meeting No. 6 - March 17, 1980</u>	
2	Seasonal Requirements for Road Materials	1
3	New trees for spring planting	1
4	Fencing for 1980	1
5	Sand-Clay-Loam and Topsoil for 1980	1
6	Point Blank, Model 15, Armor Vests for the Police Department	1
7	Furnishing of tools, equipment, etc. for Oehman Blvd. Extension, Cedargrove Culvert Project	1
	<u>Meeting No. 8 - April 7, 1980</u>	
2	Baseball Equipment	1
3	General Construction, Plumbing and Electrical Work to rehabilitate and repair Losson Road Comfort Station	1
4	Maintenance Chemicals for the year, 1980	1
5	Metal Pipe and Reinforced Concrete Pipe for the year, 1980	1
6	Furnishing of the following vehicles:	
	a) 14 - full size sedan police vehicles, 1980	1
	b) 1 - full size police station wagon	1
	c) 2 - 3/4 ton, pickup trucks, 1980	1
	d) 1 - 3/4 ton, pickup truck cab and chassis	1
	e) 1 - dump truck with 10-foot dump body	1
	f) 1 - 12-foot step van with aluminum body	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. 4 - February 25, 1980</u>	
6	Amendment to the Traffic Ordinance - Article X: "Parking, Standing, Stopping", Section 104: Parking in Excess of 24 hours Prohibited	1-2
	<u>Meeting No. 6 - March 17, 1980</u>	
8	Proposed "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LANDS AND PRIVATE PARKING AREAS ORDINANCE"	1-2
	<u>Meeting No. 8 - April 7, 1980</u>	
7	Amendment to the Traffic Ordinance - Article VIII: "Stop & Yield Intersections" (Cedargrove Circle); Article X: "Parking, Standing, Stopping" (Cleveland Drive)	1-2

\* \* \* \* \*

R E S O L U T I O N S

\* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 - February 25, 1980</u>		
7	Change date of next Town Board Meeting.	2
8	Bond Resolution authorizing construction of Alexander Street Pedestrian bridge across Scajaquada Creek.	2
9	Amended bond resolution authorizing construction of culverts for Scajaquada Creek and Tributaries Flood Protection Project.	3
10	Call for public hearing on proposed enactment of "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LAND AND PRIVATE PARKING AREAS ORDINANCE".	4-5
11	Notice to Bidders - Baseball equipment.	6
12	Notice to Bidders - Fencing for 1980.	6-7
13	Notice to Bidders - Sand/Clay/Loam and Topsoil for 1980.	8-9
14	Notice to Bidders - New trees for 1980 spring planting season.	10
15	Notice to Bidders - One (1) 3/4 ton chassis mounted with an Animobile truck body or equal for Cheektowaga Police Department.	11
16	Notice to Bidders - Point Blank, Model 15, Armor Vests for Chktg. Police Department.	11
17	Notice to Bidders - Purchase of fifteen (15) new cars for Police Department.	12
18	Notice to Bidders - Construction of Oehman Blvd. Extension, Cedar-grove Culvert Project.	12-13
19	Award of bid for partable chemical toilets.	14-15
20	Award of bid for pre-fab metal building.	15-16
21	Award of bid for Storm Sewer Cleaning Work.	16-17
22	Authorization for Town Engineer to prepare "Planned Use Proposal" for Federal Revenue Sharing Allocation.	17
23	Authorization for Town Engineer to secure engineering proposals on projects which may be eligible for federal public works funding.	17
24	Authorization for Nussbaumer & Clarke, Inc. to proceed with engineering work on Sanitary Sewer District No. 7.	17-19
25	Signal Permit for light at Century Road & Cleveland Drive.	19
26	Authorization for Supervisor to sign agreements regarding project for replacement of traffic signs throughout Town.	19
27	Request County of Erie to issue permit to move signals from Dingens and S. Colby to Dingens and Alaska.	20
28	Authorization for Supervisor to sign all documents regarding application for funding for improvement of Town playgrounds.	20
29	Authorization for Supervisor to sign agreement regarding Youth Conservation Corps.	21
30	Release of partial security deposit to developers of Martinique Sub-division.	21
31	Payment of private attorney's fees in legal action involving Town employee.	21-22
32	Three (3) Change Orders for Northeast Interceptor Project (C-36-323) - decreases in costs	
	a) Change Order No. 4, Contract No. 2B	22-23
	b) Change Order No. 16, Contract No. 1	23-24
	c) Change Order No. 11, Contract No. 2A	24-25
33	Change Order for Marrano Drive-Kelly Park Drainage Project.	25-26
34	Change Order for Chktg. Main Pump Station at Treatment Plant #5.	26-27



RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 - February 25, 1980 Cont'd.</u>		
35	Creation of Department of Senior Services.	27
36	Set salaries of non-union employees.	27
37	Appointment of Town Attorney.	27
38	Appointment to position of Working Foreman in the Sanitation Department (Acting Working Foreman).	27-28
39	Appointment to position of Assistant Working Foreman in the Sanitation Dept. (Acting Assistant Working Foreman).	28
40	Appointment and reappointments of Town Bingo Inspectors.	28-29
41	Appointment of temporary employees for Youth Conservation and Improvement Project.	29
42	Hiring of part-time van driver.	29
43	Appointment to position of part-time temporary clerk-typist in Justice Department.	29-30
44	Appointment of temporary police matrons.	30
45	Appointment of temporary police matrons.	30
46	Hiring of seasonal employees for Facilities Department.	30-31
47	Hiring of seasonal clerk in Sanitation Department.	31
48	Transfer of Funds.	31-32
49	Warrant List.	32

Meeting No. 5 - March 3, 1980

2	Appointment of Deputy Town Attorney.	1
3	Two (2) appointments to positions of "Engineering Aide".	1-2
4	Salaries of Town Officials and employees not covered in any bargaining unit.	2
5	Authorization for Supervisor to enter into agreement with M. & T. Bank re: Town of Chktg. Housing Rehabilitation Loan/Grant Program.	2-3
6	Decision on Rezoning - 3443 Genesee Street.	3-4
7	Decision on Rezoning - 3507 Union Road.	5
8	Engineering - Award of bid for Walden Avenue Storm Sewer Project Phase I.	5-7
9	Engineering - Award of bid for moving election machines to and from various polling locations.	7-8
10	Engineering - Approval of change order re: Victoria/Alexander San. Siphon Replacement Project (Const. work - addition).	8-9
11	Engineering - Advertise for bids for rehabilitation of comfort station at Losson Road Park.	9
12	Highway Dept. - Advertise for bids for road materials (seasonal requirements).	9

Meeting No. 6 - March 17, 1980

9	Change date of next Town Board Meeting.	2
10	Call for Public Hearing for amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections" (Cedargrove & Glenwood); Art. X: "Parking, Standing, Stopping" (Cleveland Drive).	2-3
11	Decision on amendment to Traffic Ordinance - Art. VIII: "Stop & Yield Intersections (Castlewood and Wedgewood).	4
12	Decision on amendment to Traffic Ordinance - Art. X: "Parking, Standing, Stopping" (Parking in excess of 24 hours prohibited).	5
13	Call for public hearing for Special Permit at N.W. Corner of Union Road at William Street.	6

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 6 - March 17, 1980 Cont'd.</u>	
14	Decision on Rezoning - 3507 Union Road.	7-8
15	Notice to Bidders - Baseball Equipment.	9
16	Notice to Bidders - Baseball Equipment.	10
17	Notice to Bidders - Fourteen (14) full size sedan police vehicles 1980; One (1) full size police station wagon; two (2) 3/4 ton pickup trucks, 1980 models; One (1) 3/4 ton pickup truck cab and chassis w/animal transport body attached, 1980; one dump truck with ten (10) foot dump body; One (1) twelve-foot step van w/aluminum body.	10-11
18	Notice to Bidders - Maintenance chemicals for Treatment Plant, Highway Dept. and Sewer Maintenance Dept.	12
19	Notice to Bidders - Corrugated metal pipe and reinforced concrete pipe for 1980.	13
20	Notice to Bidders - Furnishing of general construction, plumbing and electric work to rehabilitate and repair Losson Road Comfort Station.	14
21	Award of bid - Pool Maintenance Chemicals.	15-16
22	Authorization for Chief of Police to purchase traffic recorder.	16
23	Permission for Cheektowaga Jay-Cees, as co-sponsors with the Town, to use Cheektowaga Town Park on April 5, 1980 for Easter Egg Hunt.	16
24	Permission for Southline Volunteer Fire Company, as co-sponsors with the Town, to use Losson Community Park and Community Center on April 6, 1980 for Easter Egg Hunt.	16-17
25	Permission for Kennel Club of Buffalo to conduct Dog Show at Losson Park.	17
26	Granting of waiver of Article 48-8 of Town Code to Kennel Club of Buffalo for Dog Show at Losson Community Park.	17-18
27	Amendment to 1980 agreement with Catholic Charities Manpower Services, Inc.	18-19
28	Authorization for Supervisor to sign agreement regarding Meals on Wheels Program at Maryvale Drive Presbyterian Church.	19
29	Authorization for Supervisor to sign agreement regarding ingress and egress on property regarding Walden Avenue storm sewer program.	19
30	Authorization for Supervisor to sign document granting temporary easement to make highway drainage improvements in regards to proposed reconstruction of Losson Road.	19-20
31	Authorization for Supervisor to sign agreement regarding sewer system rehabilitation in Sanitary Sewer District No. 5 Service area.	20-21
32	Authorization for Town Engineer to investigate inflow and infiltration sources in homes with regards to Sanitary Sewer Remedial Program.	21
33	Authorization for Town Attorney to contact owners regarding Losson Road Park Extension.	21
34	Authorization for Town Attorney to prepare Lease of Premises Agreement between the Town and Chktg.-Sloan Union Free School District re: Theodore Roosevelt playground and athletic facilities.	21
35	Set salaries of Town officials not covered in any bargaining unit.	22
36	Appointments to Senior Citizen Advisory Council.	22
37	Hiring of clerk for Administrative Intern Program.	22
38	Create four (4) positions of General Mechanic in Facilities Dept.	23
39	Appointments to positions of General Mechanic.	23
40	Create position of Recreation Leader - Senior Citizens.	23
41	Appointment to position of Recreation Leader - Senior Citizens.	23
42	Create position of Account Clerk-Stenographer in Chktg. Youth Bureau.	24

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 6 - March 17, 1980 Cont'd.</u>		
43	Upgrading of laborer in Sanitation Department to Motor Equipment Operator (B).	24
44	Upgrading of laborer in Sanitation Department to Motor Equipment Operator (B).	24
45	Promotion of two (2) Police Officers to Police Lieutenants.	24
46	Military leave of absence for employee in Facilities Department.	25
47	Military leave of absence for employee in Police Department.	25
48	Authorization for Work Experience Coordinator in Youth Bureau to attend meeting.	25
49	Permission for Bldg. & Plumbing Inspector to attend seminar.	26
50	Authorization for Recreation Director to attend conference.	26
51	Emergency Sewer Repairs in San. Sewer District No. 3 and No. 5.	26
52	Payment for services rendered by Robert Laport re: Walden Avenue Drainage Project.	26-27
53	Change in mileage reimbursement rate.	27
54	Change in mileage reimbursement rate.	27
55	Restore outstanding checks to cash.	27-28
56	Transfer of Funds.	28
57	Warrant List.	28

Meeting No. 8 - April 7, 1980

8	Authorization for Town Engineer to investigate inflow & infiltration 2 sources in Town San. Sewer Dists. and hire plumbers for hydraulic testing re: Sanitary Sewer Remedial Program.	
9	Facilities Dept. - Award of bid for the furnishing of fencing for the year, 1980.	2-4
10	Facilities Dept. - Award of bid for furnishing of topsoil and sand/clay/loam for the year, 1980.	4-5
11	Create position of Recreation Supervisor - Senior Citizens.	5
12	Provisional appointment to position of Recreation Supervisor - Senior Citizens.	5
13	Authorization for Law Department and Town Accountant to investigate sewer rent charges levied on residents of Erie County Sewer District No. 7.	5
14	Youth Bureau - Hiring of youth to participate in the Y.C.C.I.P. Program.	5-6
15	Military leave of absence for Executive Director of the Youth Bureau.	6
16	Retention of Law Firm to represent Town in legal proceeding.	6
17	Authorization for Supervisor to request permission from State Comptroller to increase maximum amount to be expended for construction of water system - Ellicott Road Water District.	6
18	Award of bid for Point Blank Armor Vests, Model 15 for use by Cheektowaga Police Dept.	6
19	Town Clerks Office - Call for public hearing for rezoning at 3814 Union Road (from M1-Light Manufacturing Dist. to CM-General Commercial Dist.).	7
20	Leave of absence for W. Dombrowski from permanent position in Sanitation Department.	8
21	Leave of absence for F. Majchrzycki from permanent position in Sanitation Department.	8
22	Hiring of part-time Clerk to assist in various departments.	8

RESOLUTIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 8 - April 7, 1980 Cont'd.</u>		
23	Set salary of Town Officials and employees not covered in any bargaining unit.	8
24	Provisional appointment to position of Account Clerk Stenographer in the Cheektowaga Youth Bureau.	8-9
25	Transfer of employee from Highway Dept. to fill temporary vacancy in the Assessor's Office.	9
26	Reappointment of member to the Board of Assessment Review.	9
27	Authorization for Lieutenant and Detective of the Police Juvenile Bureau to attend conference in Albany, NY.	9-10
28	Authorization for Lieutenant and Detective of the Police Juvenile Bureau to attend conference in Albany, NY.	10
29	Hiring of seasonal Maintenance Mechanics in the Facilities Dept.	10
30	Engage services of Stuart Alexander & Associates re: Grant application for rehabilitation of various Town playgrounds.	10
31	Authorization for Supervisor to sign application and documents for submission to N.Y.S. Council on the Arts re: "Cheektowaga Polish-American Arts Festival"	11
32	Town Board authorization for waiver of Art. 48-12 of the Code of the Town of Chktg. relative to the use of Losson Road Park on 8/23/80.	11
33	Declaration of Non-Significance by Environmental Impact Review Advisory Committee.	12
34	Town Board acceptance of County of Erie Installation and Maintenance Permit relative to installation of traffic signal at French Road and Towers Blvd.	12-13
35	Retention of Consulting Engineers for technical study and design for installation of signal at French Road and Towers Blvd.	13
36	Retention of Consulting Engineers to do a traffic study of Rossler Avenue and Rossler Avenue Bridge.	13
37	Advertise for bids for Sanitary Sewer Remedial Work at three (3) locations in the Town of Chktg.	13-14
38	Award of bid for construction of the Cedargrove Culvert Project.	15-16
39	Approval of change order re: Bflo. Sewer Authority Connection of Town of Cheektowaga Sewer Dist. #5 Pollution Abatement Program.	16-17
40	Authorization for Town Engineer to meet with State and/or Federal Officials re: Aid eligibility for Northcreek Sewer Extension.	17
41	Authorization for acquisition of property abutting Scajaquada Creek Tributary T-2.	17
42	Transfer of Funds.	17-18
43	Warrant List.	18

No. 4

No. 5

No. 6

No. 7

No. 8

\* \* \* \* \*  
D E P A R T M E N T A L   C O M M U N I C A T I O N S  
\* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 4 - February 25, 1980</u>	
50	Health report for January, 1980.	32
51	Minutes of Library Board.	32
	<u>Meeting No. 5 - March 3, 1980</u>	
13	Building Permits.	10
14	Supervisor's Statement of Funds - December, 1979.	10
	<u>Meeting No. 6 - March 17, 1980</u>	
58	Health report for February, 1980.	28
	<u>Meeting No. 8 - April 7, 1980</u>	
44	Building Permits.	18

\* \* \* \* \*  
 G E N E R A L   C O M M U N I C A T I O N S  
 \* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 - February 25, 1980</u>		
52	N.Y.S. Dept. of Transportation - Correspondence re: Town request for Traffic control on Harlem Rd. and William St.	32
53	N.Y.S. Dept. of Transportation - Petition from Greyhound Lines, Inc. for certificate of public convenience.	32
54	March of Dimes - Correspondence regarding Bike-A-Thon.	33
55	Petition regarding position of working foreman in the Sanitation Department.	33
56	Petition from residents of Eggert Road regarding curbing and repaving.	33
57	Notice of Claim - Charles Vitale vs. Town of Cheektowaga.	33
<u>Meeting No. 5 - March 3, 1980</u>		
15	Notice of Claim - Frank & Gertrude Kopacz vs. County of Erie, Town of Cheektowaga and Village of Depew.	10
16	Board of Fire Commissioners, Hy-View Fire District No. 8 - Request Town Board action re: Replacement of fire hydrant at 173 Hyland.	10
17a	M. Schlifke, Attendance Clerk, Chktg. Central High School - Request Town Board action re: Installation of left-turn signal at Chktg. Central driveway entrance on Union Road.	10
17b	B. MacGregor, Business Teacher, Chktg. Central High School - Request Town Board action re: Installation of left-turn signal at Chktg. Central driveway entrance on Union Road.	10
<u>Meeting No. 6 - March 17, 1980</u>		
59	N.Y.S. Dept. of Transportation - Letter and Notices of Order re: Highway Jurisdiction realignment (Walden Avenue).	29
60	Certificate and Notice of Closing Highway.	29
61	Notice of Claim - Grace Pietrzak vs. Town of Cheektowaga.	29
62	Letter from resident on Jane Lane regarding traffic problems and request for signal on Dick Road.	29
<u>Meeting No. 8 - April 7, 1980</u>		
45	N.Y.S. Dept. of Transportation - Notices of Order re: Installation of traffic signals on Walden Avenue and the following intersections: Dick Rd., Dale Rd. & Plaza Driveway, Gualbert Ave., Reo Ave. and Pine Ridge Road.	18
46	N.Y.S. Dept. of Transportation - Notices of Order re: Installation of left arrow signals on Broadway at its intersection with access roads "BW" & "BE" between Harlem Rd., on Route 130.	19
47	Erie County Dept. of Public Works - Permit for installation of signal at French Road and Towers Blvd.	19
48	Erie County Dept. of Public Works - Correspondence re: Signal permit for light at Century & Cleveland; moving signals from Dingens & S. Colby to Dingens and Alaska St.	19
49	Order to Show Cause - Ronald C. Zoeller vs. Town Board of the Town of Cheektowaga.	19
50	Summons & Complaint - Arthur and Bertha Smith vs. Louis & Dirce Tonello, County of Erie and Town of Cheektowaga.	19

No. 4  
 No. 5  
 No. 6  
 No. 7  
 No. 8

GENERAL COMMUNICATIONS CONT'D.

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 8 - April 7, 1980 Cont'd.</u>	
51	Notice of Claim - Town of Cheektowaga vs. Hatch Mobile Home Trailer Park, Inc.	19
52	Notice of Claim - Thomas J. Pompeo vs. Town of Cheektowaga.	19
53	Notice of Claim - Jonathan Douglas Coffin vs. Town of Chktg., etal.	19
54	Notice of Claim - Lucy M. Majewski vs. Town of Cheektowaga.	19
55	Notice of Claim - Charles J. Vitale vs. Town of Cheektowaga.	19
56	Mr. & Mrs. Leon Markiewicz, 72 McNaughton Ave. - Request Town Board action re: Drainage problem at corner of McNaughton and Tillotson.	20
57	Lester M. Dean, 36 Bay Lane - Request repair of sidewalk	20
58a	Sr. Citizens--Achievers, Group #12, Infant of Prague - Correspondence re: Sr. Citizens Coordinator.	20
58b	St. Aloysius Sr. Citizens Club - Correspondence re: Sr. Citizens Coordinator.	20

\* \* \* \* \*  
 F R O M   T H E   T A B L E  
 \* \* \* \* \*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
<u>Meeting No. 4 - February 25, 1980</u>		
58	Facilities Department - Award of bid for portable chemical toilets.	33
59	Appointment to position of Working Foreman in Sanitation Dept.	33
60	Designation of official newspaper of the Town of Cheektowaga.	33
 <u>Meeting No. 5 - March 3, 1980</u>		
18	Appointment of Town Attorney.	10
19	Appointment to position of Working Foreman in Sanitation Dept.	10
20	Creation of Department of Senior Services.	11
21	Set salaries of Town Officials and employees not covered in any bargaining unit.	11
 <u>Meeting No. 6 - March 17, 1980</u>		
63	Appointment to position of Working Foreman in Sanitation Dept.	29
 <u>Meeting No. 8 - April 7, 1980</u>		
59	Authorization for Town Engineer to investigate inflow and infiltration sources within Town sanitary sewer districts and hire plumbers for hydraulic testing re: Sanitary Sewer Remedial Program.	20



\* \* \* \* \*  
 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. 4 - February 25, 1980</u>		
61	Authorization for Town Engineer to secure services of Merriman Conservation Consultants regarding erosion control problems.	34
<u>Meeting No. 5 - March 3, 1980</u>		
22	Abolishment of positions in the Facilities Department.	12
23	Create eleven (11) positions of "General Mechanic" in the Facilities Department.	12
24	Appointments to positions of "General Mechanic" in the Facilities Department.	13
25	Create two (2) positions of "Maintenance Man" in the Facilities Department.	13-14
26	Appointments to positions of "Maintenance Man" in the Facilities Department.	14
27	Engineering Dept. - Award of bid for furnishing of equipment and operators for drainage projects.	14-16
<u>Meeting No. 6 - March 17, 1980</u>		
64	Memorialize Governor to keep original language in proposed Budget Bill and reject proposed changes resulting from technical language.	29-30
65	Authorization for Supervisor to sign application for Sanitary Sewer District No. 5 and its Service Area with Nussbaumer & Clarke.	30
<u>Meeting No. 8 - April 7, 1980</u>		
60	Highway Department - Award of bid for new trees for the 1980 spring planting season.	21-22

\*\*\*\*\*  
REGULAR ADJOURNED MEETING  
\*\*\*\*\*

<u>NO.</u>	<u>ITEM</u>	<u>PAGE</u>
	<u>Meeting No. 7 - March 24, 1980</u>	
2	Award of bid for insurance - Electing to self-insure our Workmen's Compensation.	1
3	Award of bid for insurance - Retain Robert F. Coleman, Inc. to provide self-insurance administration.	2
4	Award of bid for insurance to E.T. Clauss & Company for General Insurance Program excluding Workmen's Compensation.	2
	<u>Suspension of Rules</u>	
5	Establishing goal of 15% for federally funded Water Control Project to be committed to minority-owned subcontractors.	2-3
6	Authorization for Supervisor to sign documents regarding application for park rehabilitation.	3
7	Warrant List.	3-4

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 February, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

ABSENT: Councilman Frank E. Swiatek

Also present were: Mary F. Holtz, Deputy Town Clerk; John V. Rogowski, Town Attorney; Ron Marten, Building and Plumbing Inspector; Theodore DeFedericis, Chief of Police; Sal LaGreca, Assistant Manpower Program Director I; Ken Kopacz, Executive Director of the Youth Bureau; Ed Leak, Recreation Director; Al Thrun, Traffic Safety Commission; Andrew Schwenk, Sole Assessor; Chester Bryan, Town Engineer.

I. BIDS

Item No. 2 Pool Maintenance Chemicals  
Referred to Jim Matecki, Facilities Department.

Item No. 3 Moving of election machines to and from polling places  
Referred to Chester Bryan, Town Engineer.

Item No. 4 Equipment and operators for Drainage Projects  
Referred to Chester Bryan, Town Engineer.

Item No. 5 Construction of Phase I, Walden Avenue Drainage Project  
Referred to Chester Bryan, Town Engineer.

II. PUBLIC HEARING

Item No. 6 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 amendments being as follows:

ARTICLE X

Parking, Standing and Stopping

Article X is amended by adding thereto the following:

Section 104. Parking in excess of twenty-four hours prohibited.

Parking or standing is hereby prohibited on any street in the Town of Cheektowaga for a period in excess of twenty-four (24) consecutive hours.

\*\*\*\*\*

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 the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 7 Motion by Supervisor Meyers, seconded by Councilman Wegner

RESOLVED that the date of the next regularly scheduled Town Board Meeting, March 3, 1980, be and hereby is changed to Tuesday, March 11, 1980, at 7:00 P.M.

Upon Roll Call....

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

Item No. 8 Bond resolution authorizing construction of Alexander Street Pedestrian Bridge across Scajaquada Creek

See next ten (10) pages for Bond Resolution

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie, New York.

February 25, 1980

\*

\*

\*

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on February 25, 1980, at 7:00 o'clock P.M. (D.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor,  
and  
~~Frank E. Swiatek, Councilman~~  
Thomas M. Johnson, Jr., Councilman  
Frank J. Dux, Councilman  
James R. Burst, Councilman  
Donald J. Wegner, Councilman  
William P. Rogowski, Councilman

There were absent: Frank E. Swiatek, Councilman

Also present: Mary F. Holtz, Deputy Town Clerk  
John V. Rogowski, Town Attorney

\*

\*

\*

Councilman Johnson offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY 25, 1980, AUTHORIZING THE CONSTRUCTION OF THE ALEXANDER STREET PEDESTRIAN BRIDGE ACROSS THE SCAJAQUADA CREEK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$175,800, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$8,790 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF \$167,010 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct the Alexander Street pedestrian bridge across the Scajaquada Creek, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project". The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$175,800 and said amount is hereby appropriated therefor, including the amount of \$8,790 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of \$167,010 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

No. 5

No. 6

No. 7

No. 8

Section 2. Pursuant to the provisions of the Law, serial bonds of the Town in the principal amount of \$167,010, are hereby authorized to be issued to finance the balance of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. is twenty (20) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$8,790 will be provided from monies now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund" and the Supervisor is hereby authorized and directed to set aside said current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by §52.00 of the Law, and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and

any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of the publication of such resolution, are not substantially complied with

and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to a permissive referendum.



The adoption of the foregoing resolution was seconded by Councilman Burst and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NAYES: 1

ABSENT: 1

The resolution was declared adopted.

\* \* \*

Councilman Johnson offered the following resolution and moved its adoption:

No. 5

No. 6

No. 7

No. 8

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days after the adoption of the bond resolution referred to in the form of Notice hereinafter set forth in Section 2 hereof, cause to be published at least once in the CHEEKTOWAGA TIMES, a newspaper published in Cheektowaga, New York, and the EXAMINER, a newspaper published in Cheektowaga, New York, having a general circulation in the Town, and hereby designated the official newspapers of the Town, for such publication, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said bond resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall be in substantially the following form:

No. 5

No. 6

No. 7

No. 8

TOWN OF CHEEKTOWAGA, IN THE COUNTY  
OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on February 25, 1980, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted February 25, 1980, authorizing the construction of the Alexander Street pedestrian bridge across the Scajaquada Creek, stating the estimated maximum cost thereof is \$175,800, appropriating said amount therefor, including \$8,790 current funds to provide the required down payment and authorizing the issuance of \$167,010 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct the Alexander Street pedestrian bridge across the Scajaquada Creek, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and the construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project"; STATING the estimated maximum cost thereof is \$175,800 and APPROPRIATING said amount therefor, including the amount of \$8,790 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of \$167,010 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING \$167,010 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$8,790 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of object or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

DATED: February 25, 1980

MARY F. HOLTZ

Deputy Town Clerk

Section 3. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspapers hereinabove referred to in Section 1 hereof, and hereby designated the official newspapers of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

\*

\*

\*

The adoption of the foregoing resolution was seconded by Councilman Burst and duly put to a vote on roll call, which results as follows:

AYES: 5

NAYES: 0

ABSENT: 1

The resolution was declared adopted.

General - No Veto

CERTIFICATE

I, MARY F. HOLTZ, Deputy Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town duly called and held on February 25, 1980, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 25th day of February, 1980.

Mary F. Holtz  
Deputy Town Clerk

(Seal)

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

*Gladys M. Sedgwick*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Clerk* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... *February 28, 1980* ;  
last publication..... *February 28, 1980* ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sedgwick*.....

Sworn to before me this ..... *29th* .....

day of ..... *February* ....., 19 *80* .....

..... *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

### TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on February 25, 1980, the Town Board of the Town of Cheektowaga, in the County of Erie, New York adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted February 25, 1980, authorizing the construction of the Alexander Street pedestrian bridge across the Scajaquada Creek stating the estimated maximum cost thereof is \$175,800, appropriating said amount therefor, including \$8,790 current funds to provide the required down payment and authorizing the issuance of \$167,010 serial bonds of said Town to finance the balance of said appropriation."

in abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct the Alexander Street pedestrian bridge across the Scajaquada Creek, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in kind, and the construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project"; STATING the estimated maximum cost thereof is \$175,800 and APPROPRIATING said amount therefor, including the amount of \$8,790 current funds to provide the down payment required pursuant to the local Finance Law ("Law");

STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of \$167,010 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and

payable;

SECOND: AUTHORIZING \$167,010 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$8,790 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of object or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

MARY F. HOLTZ  
Deputy Town Clerk

DATED: February 25, 1980



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 28 day of Feb., 1980, and ending on the 28 day of Feb., 1980

James Charters

Signed

Sworn to before me, on the 28 day of Feb., 1980.

Carol M. Smith  
Notary Public

CAROL M. SMITH  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 28, 1981

**TOWN OF  
CHEEKTOWAGA,  
IN THE COUNTY OF  
ERIE, NEW YORK**

PLEASE TAKE NOTICE that on February 25, 1980, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted February 25, 1980, authorizing the construction of the Alexander Street pedestrian bridge across the Scajaquada Creek, stating the estimated maximum cost thereof is \$175,800, appropriating said amount therefor, including \$8,790 current funds to provide the required down payment and authorizing the issuance of \$617,010 serial bonds of said Town to finance the balance of said appropriation."

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct the Alexander Street pedestrian bridge across the Scajaquada Creek, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and the construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project"; STATING the estimated maximum cost thereof is \$175,800 and APPROPRIATING said amount therefor, including the amount of \$8,790 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use

of said current funds to provide such down payment and the issuance of \$187,010 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING \$187,010 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is twenty (20) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$8,790 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of object or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution shall be subject to a permissive referendum.

DATED: February 25, 1980

MARY F. HOLTZ  
Deputy Town Clerk

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

*Patricia Catanzaro*, 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 17, 1980*...;  
last publication...*April 17, 1980*...;  
and that no more than six days intervened be-  
tween publications.

*Patricia Catanzaro*

Sworn to before me this *18th*

day of *April*, 19*80*

*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

The resolution published herewith has been adopted on the 25th day of February, 1930, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI,  
Town Clerk

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY 25, 1930, AUTHORIZING THE CONSTRUCTION OF THE ALEXANDER STREET PEDESTRIAN BRIDGE ACROSS THE SCAJAQUADA CREEK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$175,800. APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$8,790 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF \$167,010 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct the Alexander Street pedestrian bridge across the Scajaquada Creek, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project". The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$175,800 and said amount is hereby appropriated therefor, including the amount of \$8,790 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of \$167,010 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Pursuant to the provisions of the Law, serial bonds of the Town in the principal amount of \$167,010, are hereby authorized to be issued to finance the balance of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10, is twenty (20) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$8,790 will be provided

### Legal Notice

from monies now available therefor in the current budget of the Town under the heading "A-9530 - Transfer to Capital Fund" and the Supervisor is hereby authorized and directed to set aside said current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by ss 52.00 of the Law, and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of ss 30.00 relative to the authorization of the issuance of bond anticipation notes, or the renewals of said Notes and of ss 50.00 and ss 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution, are not substantially complied with

and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to a permissive referendum.



The resolution published herewith has been adopted on the 25th day of February, 1980, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or

purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**RICHARD M. MOLESKI,**  
Town Clerk  
**BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY 25, 1980, AUTHORIZING THE CONSTRUCTION OF THE ALEXANDER STREET PEDESTRIAN BRIDGE ACROSS THE SCAJAQUADA CREEK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$175,800, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$8,790 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF \$167,010 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:**

**Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct the Alexander Street pedestrian bridge across the Scajaquada Creek, using steel, stone, concrete or a combination thereof, including the acquisition of land or rights in land, and construction of retaining walls and approaches as may be required therefor, said work being part of the "Scajaquada Creek and Tributaries Flood Protection Project". The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$175,800 and said amount is hereby appropriated therefor, including the amount of \$8,790 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of \$167,010 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.**

**Section 2. Pursuant to the provisions of the Law, serial bonds of the Town in the principal amount of \$167,010, are hereby authorized to be issued to finance the balance of said appropriation.**

**Section 3. The following additional matters are hereby determined and declared:**

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 10. is twenty (20) years.

(b) Current funds are

required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$8,790 will be provided from monies now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund" and the Supervisor is hereby authorized and directed to set aside said current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

**Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by §52.00 of the Law, and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.**

**Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or the renewals of said Notes and of §50.00 and §56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.**

## AFFIDAVIT

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF  
CHEEKTOWAGA

MARK F. HANSELL  
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 17<sup>th</sup> day of April, 1980 and ending on the 17<sup>th</sup> day of April, 1980

Signed Mark F. Hansell  
Sworn to before me, on the 17  
day of April, 1980  
Carol M. Smith  
Notary Public

CAROL M. SMITH  
Notary Public, State of New York  
Qualified in the County  
My Commission Expires March 29, 1981

**Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:**

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution, are not substantially complied with

and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

**Section 7. This resolution shall be subject to a permissive referendum.**

Item No. 9 Amended bond resolution authorizing construction of culverts for  
Scajaquada Creek and Tributaries Flood Protection Project

See next eleven (11) pages for amended bond resolution

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cheektowaga,  
in the County of Erie, New York

February 25, 1980

\*

\*

\*

A regular meeting of the Town Board of the Town of Cheektowaga, in the County of Erie, New York, was held at the Town Hall, in said Town, on February 25, 1980, at 7:00 o'clock P.M. (D.S.T.)

There were present: Hon. Kenneth J. Meyers, Supervisor  
and  
~~Frank E. Swiatek, Councilman~~  
Thomas M. Johnson, Jr., Councilman  
Frank J. Dux, Councilman  
James R. Burst, Councilman  
Donald J. Wegner, Councilman  
William P. Rogowski, Councilman

There were absent: Frank E. Swiatek, Councilman

Also present: Mary F. Holtz, Deputy Town Clerk  
John V. Rogowski, Town Attorney

\*

\*

\*

Councilman Johnson offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF  
CHEEKTOWAGA, NEW YORK, ADOPTED FEBRUARY 25, 1980,  
AMENDING THE BOND RESOLUTION ADOPTED MAY 15, 1978.

Recital

WHEREAS, the Town of Cheektowaga, in the County of Erie, New York, duly authorized the issuance of \$1,074,600 serial bonds for the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, pursuant to a bond resolution duly adopted by the Town Board on May 15, 1978; and

WHEREAS, due to generally increased costs of labor and materials, said Town Board has estimated the maximum cost of said construction to be \$1,449,600, being an increase of \$375,000, and it is now necessary to provide for the financing of said construction; now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two thirds of all the members of said Board) AS FOLLOWS:

Section 1. The bond resolution of said Town duly adopted by the Town Board of the Town on May 15, 1978, entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978, authorizing the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, stating the estimated maximum cost thereof is \$1,074,600, appropriating said amount therefor, including \$53,730 current funds to provide the required down payment and authorizing the issuance of \$1,020,870 serial bonds of said Town to finance the balance of said appropriation."

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK,  
ADOPTED MAY 15, 1978 AND AMENDED FEBRUARY 25, 1980  
AUTHORIZING THE CONSTRUCTION OF CULVERTS FOR THE  
SCAJAQUADA CREEK AND TRIBUTARIES FLOOD PROTECTION  
PROJECT, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM  
COST THEREOF IS \$1,449,600, APPROPRIATING SAID AMOUNT  
THEREFOR, INCLUDING \$72,480 CURRENT FUNDS TO PROVIDE  
THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE  
OF \$1,377,120 SERIAL BONDS OF SAID TOWN TO FINANCE THE  
BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY  
OF ERIE, NEW YORK HEREBY RESOLVES (by the favorable vote of not less  
than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"),  
in the County of Erie, New York, is hereby authorized to construct  
box culverts for the "Scajaquada Creek and Tributaries Flood Protec-  
tion Project", in the Town, including acquisition of land or rights  
in land, original furnishings, equipment, machinery or apparatus  
as required therefor. The estimated maximum cost of said class of  
objects or purposes, including preliminary costs and costs incidental  
thereto and the financing thereof is \$1,449,600 and said amount is  
hereby appropriated therefor, including the amount of \$72,480 current  
funds to provide the down payment required pursuant to the Local  
Finance Law, constituting Chapter 33-a of the Consolidated Laws of  
the State of New York (herein called "Law"). The plan of financing  
includes the use of said current funds to provide such down payment  
and the issuance of \$1,377,120 serial bonds of the Town to finance  
the balance of said appropriation, and the levy and collection of a  
tax upon all the taxable real property in the Town to pay the prin-  
cipal of said bonds and the interest thereon as the same shall become  
due and payable.



Section 2. Pursuant to the provisions of Law, serial bonds of the Town in the principal amount of \$1,377,120, are hereby authorized to be issued to finance the balance of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 3. of the Law, is thirty (30) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$72,480 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund" and the Supervisor is hereby authorized and directed to set aside current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by §52.00 of the Law, and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appro-

priation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of the publication of such resolution, are not substantially complied with

and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution, as amended, shall be subject to a permissive referendum.

The adoption of the foregoing resolution was seconded  
by Councilman Burst and duly put to a vote on  
roll call, which resulted as follows:

AYES: 6

NAYES: 0

ABSENT: 1

The resolution was declared adopted.

\* \* \*

Councilman Johnson offered the follow-  
ing resolution and moved its adoption:

No. 5

No. 6

No. 7

No. 8

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN  
THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Deputy Town Clerk shall, within ten (10)  
days after the adoption of the bond resolution referred to in the  
form of Notice hereinafter set forth in Section 2 hereof, cause to  
be published at least once in the CHEEKTOWAGA TIMES  
,  
a newspaper published in Cheektowaga, New York, and the EXAMINER  
, a newspaper published in Cheektowaga, New York, having a  
general circulation in the Town, and hereby designated the official  
newspapers of the Town, for such publication, and to be posted on  
the sign board of the Town maintained pursuant to subdivision 6 of  
Section 30 of the Town Law, and in at least five (5) public places  
in the Town, a Notice which shall set forth the date of adoption of  
said amended bond resolution and contain an abstract thereof concisely  
stating its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof  
shall be in substantially the following form:

TOWN OF CHEEKTOWAGA, IN THE COUNTY  
OF ERIE, NEW YORK

PLEASE TAKE NOTICE that on February 25, 1980, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution amending the bond resolution adopted May 15, 1978, which bond resolution, so amended, is entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978 and amended February 25, 1980, authorizing the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, stating the estimated maximum cost thereof is \$1,449,600, appropriating said amount therefor, including \$72,480 current funds to provide the required down payment and authorizing the issuance of \$1,377,120 serial bonds of said Town to finance the balance of said appropriation,"

and abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor; STATING the estimated maximum thereof is \$1,449,600 and APPROPRIATING said amount therefor, including the amount of \$72,480 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of \$1,377,120 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING \$1,377,120 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the class of objects or purposes is thirty (30) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$72,480 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund"; AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution as amended shall be subject to a permissive referendum.

DATED: February 25, 1980

MARY F. HOLTZ

Deputy Town Clerk

Section 3. The amendment to said bond resolution in Section 1 of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution and all such liabilities incurred obligations issued or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section 4. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspapers hereinabove referred to in Section 1 hereof, and hereby designated the official newspapers of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 5. This resolution shall take effect immediately.

\*

\*

\*

The adoption of the foregoing resolution was seconded by Councilman Burst and duly put to a vote on roll call, which resulted as follows:

AYES: 6

NAYES: 0

ABSENT: 1

The resolution was declared adopted.

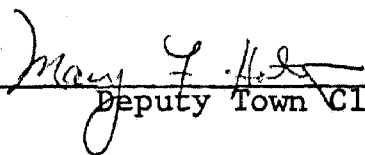
\*\*\*

General - No Veto

CERTIFICATE

I, MARY F. HOLTZ, Deputy Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town duly called and held on February 25, 1980, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 25th day of February, 1980.

  
\_\_\_\_\_  
Deputy Town Clerk

(Seal)



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

*Gladys M. Seebster*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Club* ..... 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 ..... *February 28, 1980* ..... ;  
last publication ..... *February 28, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Seebster*.....

Sworn to before me this ..... *29th* .....

day of ..... *February* ....., 19 *80* .....

..... *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*

**TOWN OF CHEEKTOWAGA,  
IN THE COUNTY OF  
ERIE, NEW YORK**

PLEASE TAKE NOTICE that on February 25, 1980, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution amending the bond resolution adopted May 15, 1978, which bond resolution, so amended, is entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978 and amended February 25, 1980, authorizing the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, stating the estimated maximum cost thereof is \$1,449,600, appropriating said amount therefor, including \$72,480 current funds to provide the required down payment and authorizing the issuance of \$1,377,120 serial bonds of said Town to finance the balance of said appropriation,"

and abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Cheektowaga ("Town"), New York, to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor; STATING the estimated maximum thereof is \$1,449,600 and APPROPRIATING said amount therefor, including the amount of \$72,480 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"); STATING the plan of financing includes the use of said current funds to provide such down payment and the issuance of \$1,377,120 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: PROVIDING that the resolution as amended shall be subject to a permissive referendum.

MARY F. HOLTZ  
Deputy Town Clerk

DATED: February 25, 1980

**Legal notices**

IT'S YOUR RIGHT  
TO KNOW

The EXAMINER

Vol. 5, No. 9, Feb. 28/80 Page 15

**TOWN OF  
CHEEKTOWAGA,  
IN THE COUNTY OF  
ERIE, NEW YORK**

PLEASE TAKE NOTICE that on February 25, 1980, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution amending the bond resolution adopted May 15, 1978, which bond resolution, so amended, is entitled:

"Bond Resolution of the Town of Cheektowaga, New York, adopted May 15, 1978 and amended February 25, 1980, authorizing the construction of culverts for the Scajaquada Creek and Tributaries Flood Protection Project, in said Town, stating the estimated maximum cost thereof is \$1,449,600, appropriating said amount therefor, including \$72,480 current funds to provide the required down payment and authorizing the issuance of \$1,377,120 serial bonds of said Town to finance the balance of said appropriation."

and abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

**FIRST: AUTHORIZING** the Town of Cheektowaga ("Town"), New York, to construct box culverts for the Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor; **STATING**

the estimated maximum thereof is \$1,449,600 and **APPROPRIATING** said amount therefor, including the amount of \$72,480 current funds to provide the down payment required pursuant to the Local Finance Law ("Law"), **STATING** the plan of financing includes the use of said current funds to provide such down payment and the issuance of \$1,377,120 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

**SECOND: AUTHORIZING** \$1,377,120 serial bonds of the Town to be issued pursuant to the provisions of the Law to finance the balance of said appropriation;

**THIRD: DETERMINING AND DECLARING** that the period of probable usefulness of the class of objects or purposes is thirty (30) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$72,480 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550-Transfer to Capital Fund"; **AUTHORIZING AND DIRECTING** the Supervisor to set aside said current funds and apply the same solely to said class of objects or purposes; **STATING** that the proposed maturity of the bonds will exceed five (5) years;

**FOURTH: DETERMINING** that said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town and **FLEDGING** to their payment the faith and credit of the Town;

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of the bonds and any notes issued in anticipation of said

bonds, or the renewals thereof;

**SIXTH: PROVIDING** that the resolution shall be subject to a permissive referendum.

DATED: February 25, 1980

MARY F. HOLTZ  
Deputy Town Clerk

AFFIDAVIT

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF  
CHEEKTOWAGA

**JAMES L. CHARTERS**

being duly sworn, deposeseth 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 28 day of Feb., 1980, and ending on the 28 day of Feb., 1980

*James Charters*  
Signed

Sworn to before me, on the 28 day of Feb., 1980.

*Carol M. Smith*

Notary Public

CAROL M. SMITH  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

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

*Patricia Catanzaro*, 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 17, 1980* ;  
last publication *April 17, 1980* ;  
and that no more than six days intervened be-  
tween publications.

*Patricia Catanzaro*

Sworn to before me this *18th*

day of *April*, 19*80*

*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*

the  
50 -  
the  
ized  
rent  
y to  
ses  
the  
tion  
nds  
and  
ued  
aid  
l of  
of  
any  
aid  
ons  
oth  
eral  
eal  
out  
with  
eby  
inc-  
of  
and  
ally  
by  
rti-  
nds  
lon  
and  
be  
vi-  
the  
of  
za-  
nd  
als  
ss  
ers  
rd  
ci-  
the  
to  
ids  
nd  
ci-  
he  
by  
he  
he  
on  
in  
be  
or-  
for  
to  
aw  
at  
ch  
lly  
ng  
m-  
er  
or-  
of  
as  
a



BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 15, 1978 AND AMENDED FEBRUARY 25, 1980 AUTHORIZING THE CONSTRUCTION OF CULVERTS FOR THE SCAJAUADA CREEK AND TRIBUTARIES FLOOD PROTECTION PROJECT IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,449,600, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$72,480 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF \$1,377,120 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,449,600 and said amount is hereby appropriated therefor, including the amount of \$72,480 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of \$1,377,120 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Pursuant to the provisions of Law, serial bonds of the Town in the principal amount of \$1,377,120, are hereby authorized to be issued to finance the balance of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 3. of the Law, is thirty (30) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$72,480 will be provided from moneys now available there-

### Legal Notice

for in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund" and the Supervisor is hereby authorized and directed to set aside current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by ss 52.00 of the Law, and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of ss 30.00 relative to the authorization of the issuance of bond anticipation notes, or the renewals of said Notes and of ss 50.00 and ss 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution, are not substantially complied with

and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution, as amended, shall be subject to a permissive referendum.

### Legal Notice

#### NOTICE

The resolution published herewith has been adopted on the 15th day of May, 1978, and amended on the 25th day of February, 1980, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

RICHARD M. MOLESKI,  
Town Clerk

**NOTICE**

The resolution published herewith has been adopted on the 15th day of May, 1978, and amended on the 25th day of February, 1980, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Cheektowaga, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

**RICHARD M. MOLESKI,**  
Town Clerk

**BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MAY 15, 1978**

**AND AMENDED FEBRUARY 25, 1980 AUTHORIZING THE CONSTRUCTION OF CULVERTS FOR THE SCAJAQUADA CREEK AND TRIBUTARIES FLOOD PROTECTION PROJECT IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,449,600, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$72,480 CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT AND AUTHORIZING THE ISSUANCE OF \$1,377,120 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.**

**THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:**

Section 1. The Town of Cheektowaga (herein called "Town"), in the County of Erie, New York, is hereby authorized to construct box culverts for the "Scajaquada Creek and Tributaries Flood Protection Project", in the Town, including acquisition of land or rights in land, original furnishings, equipment, machinery or apparatus as required therefor. The

estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,449,600 and said amount is hereby appropriated therefor, including the amount of \$72,480 current funds to provide the down payment required pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"). The plan of financing includes the use of said current funds to provide such down payment and the issuance of \$1,377,120 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Pursuant to the provisions of Law, serial bonds of the Town in the principal amount of \$1,377,120, are hereby authorized to be issued to finance the balance of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 of a. 3. of the Law, is thirty (30) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds and such current funds in the amount of \$72,480 will be provided from moneys now available therefor in the current budget of the Town under the heading "A-9550 - Transfer to Capital Fund" and the Supervisor is hereby authorized and directed to set aside current funds and apply the same solely to said class of objects or purposes described in Section 1 hereof.

(c) The proposed maturity of the bond authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by §52.00 of the Law, and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with

and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution, as amended, shall be subject to a permissive referendum.

**AFFIDAVIT**

STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF  
CHEEKTOWAGA

MARK F. HANSSER  
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 17<sup>th</sup> day of April, 1980, and ending on the 17<sup>th</sup> day of April, 1980

Signed Mark F. Hansser  
Sworn to before me, on the 17  
day of April, 1980.  
Carol M. Smith  
Notary Public

CAROL M. SMITH  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981



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

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that the Town of Cheektowaga adopt an ordinance forbidding the possession of open containers of alcoholic beverages on public lands and private parking areas,

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 11th day of March, 1980 at 7:00 o'clock P.M., Eastern Standard 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 an "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LAND AND PRIVATE PARKING AREAS ORDINANCE" shall be enacted; and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of the said hearing.

The above resolution was called for amendment by Councilman Burst, seconded by Councilman Johnson and the vote on the amendment was as follows:

Upon Roll Call....

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

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that the Town of Cheektowaga adopt an ordinance forbidding the possession of open containers of alcoholic beverages on public lands and private parking areas,

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 17th day of March, 1980 at 7:00 o'clock P.M., Eastern Standard 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 an "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LAND AND PRIVATE PARKING AREAS ORDINANCE" shall be enacted; and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of the said hearing.

\* \* \* \* \*

NOTICE OF HEARING ON PROPOSAL TO ENACT

OPEN CONTAINERS OF ALCOHOLIC BEVERAGES  
ON PUBLIC LANDS AND PRIVATE PARKING AREAS  
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 February, 1980, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of March, 1980 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LANDS AND PRIVATE PARKING AREAS ORDINANCE" shall be adopted and enacted,

2/25/80

Item No. 10 cont'd

which Ordinance generally forbids the possession of any open container containing an alcoholic beverage on any public land or private parking area within the Town of Cheektowaga outside of the limits of the Villages of Depew and Sloan. A copy of the proposed "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LANDS AND PRIVATE PARKING AREAS 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: February 25, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE



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

*Gladys M. Sucketer*, 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..... *February 28, 1980* ;  
last publication..... *February 28, 1980* ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sucketer*

Sworn to before me this ..... *29<sup>th</sup>* .....

day of ..... *February* ....., 19 *80* .....

..... *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 OF HEARING  
ON PROPOSAL TO ENACT  
OPEN CONTAINERS OF  
ALCOHOLIC BEVERAGES  
ON PUBLIC LANDS AND  
PRIVATE PARKING AREAS  
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 February, 1980, and in accordance with the provisions of the Town Law of the State of New York, a Public Hearing will be held on the 17th day of March, 1980 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether an "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LANDS AND PRIVATE PARKING AREAS ORDINANCE" shall be adopted and enacted, which Ordinance generally forbids the possession of any open container containing an alcoholic beverage on any public land or private parking area within the Town of Cheektowaga outside of the limits of the Villages of Depew and Sloan. A copy of the proposed "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LANDS AND PRIVATE PARKING AREAS 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: February 25, 1980

Item No. 11 Notice to Bidders - Baseball equipment  
This item was withdrawn.

Item No. 12 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Fencing, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of said Fencing, and BE IT FURTHER

RESOLVED that the Specifications for said Fencing can be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department located at the Town Park Recreation Center, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 11th day of March, 1980 at 7:00 P.M., Eastern Standard Time for the purpose of receiving sealed bids at a public meeting called for that purpose.

The above resolution was called for amendment by Supervisor Meyers, seconded by Councilman Wegner and the vote on the amendment was as follows:

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: Councilman Swiatek

and said amendment was adopted as attached hereto:

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Fencing, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of said Fencing, and BE IT FURTHER

RESOLVED that the specifications for said Fencing can be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department located at the Town Park Recreation Center, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 17th day of March, 1980 at 7:00 P.M., Eastern Standard Time for the purpose of receiving sealed bids 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 March 17, 1980 at the Town Hall, Broadway and Union Road, for the furnishing of Fencing for the year, 1980.

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

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

Item No. 12 cont'd

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

RICHARD M. MOLESKI  
Town Clerk

DATED: February 25, 1980

\* \* \* \* \*

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Burst, Wegner, and  
Rogowski

NAYES: 0

ABSENT: Councilman Swiatek

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sedates*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Clerk* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....<sup>1</sup>..... weeks;  
first publication..... *February 28, 1980* ..... ;  
last publication..... *February 28, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sedates*.....

Sworn to before me this ..... *29<sup>th</sup>*.....

day of ..... *February*....., 19*80*.....

..... *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 on March 17, 1980 at the Town Hall, Broadway & Union Road, for the furnishing of Fencing for the year 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in the Town Hall.

The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the Specifications and Contract Documents and may waive any informalities, make an award to other than the low Bidder, accept any part of Bid should it be in the best interest of the Town of Cheektowaga, or reject any part of, or all Bids.

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

**RICHARD M. MOLESKI**

Town Clerk

DATED: February 25, 1980

Item No. 13 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Topsoil and Sand-Clay-Loam, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of said Topsoil and Sand-Clay-Loam, and BE IT FURTHER

RESOLVED that the specifications for said Topsoil and Sand-Clay-Loam be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department located at the Town Park Recreation Center, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 11th day of March, 1980 at 7:00 P.M., Eastern Standard Time for the purpose of receiving sealed bids at a public meeting called for that purpose.

The above resolution was called for amendment by Supervisor Meyers, seconded by Councilman Wegner and the vote on the amendment was as follows:

Upon Roll Call....

AYES: Supervisor Meyers, Councilmen Johnson, Dux, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: Councilman Swiatek

and said amendment was adopted as attached hereto:

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga uses, and will need for the time specified, Topsoil and Sand-Clay-Loam, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of said Topsoil and Sand-Clay-Loam, and BE IT FURTHER

RESOLVED that the Specifications for said Topsoil and Sand-Clay-Loam be obtained from the Town Clerk at his office in Town Hall and additional information can be obtained from the Facilities Department located at the Town Recreation Center, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 17th day of March, 1980 at 7:00 P.M., Eastern Standard Time for the purpose of receiving sealed bids 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 March 17, 1980 at 7:00 P.M., at the Town Hall, Broadway and Union Road, for the furnishing of Sand-Clay-Loam and Topsoil for the year 1980.

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

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

Item No. 13 cont'd

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

RICHARD M. MOLESKI  
Town Clerk

DATED: February 25, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE



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

*Gladys M. Sechster*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Clerk* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for ..... weeks:  
first publication..... *February 28, 1980* ..... ;  
last publication..... *February 28, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechster*.....

Sworn to before me this ..... *29th* .....

day of ..... *February* ....., 19..... *80* .....

..... *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 on March 17, 1980 at 7:00 P.M. at the Town Hall, Broadway & Union Road, for the furnishing of Sand-Clay-Loam and Topsoil for the year, 1980.

Information for Bidders and Specifications may be obtained from the Town Clerk at his office in the Town Hall.

The Town Board reserves the right to consider informal any Bid not prepared and submitted in accordance with the provisions of the Specifications and Contract Documents and may waive any informalities, make an award to other than the low Bidder, should it be in the best interest of the Town of Cheektowaga, or reject any and all Bids.

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

**RICHARD M. MOLESKI**  
Town Clerk

DATED: February 25, 1980

Item No. 14 Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting season for 1980. Information for bidders and specifications may be obtained from the office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., March 11, 1980 for the purpose of opening and reading the sealed bids.

The above resolution was called for amendment by Councilman Burst, seconded by Councilman Rogowski and the vote on the amendment was as follows:

Upon Roll Call....

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

and said amendment was adopted as attached hereto:

Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting season for 1980. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, AND BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., March 17, 1980 for the purpose of opening and reading the sealed bids.

\*\*\*\*\*

NOTICE TO BIDDERS

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board, on March 17, 1980 at the 7:00 P.M. meeting, held at the Town Hall, corner of Broadway and Union Roads, Town of Cheektowaga, New York for the purpose of furnishing new trees for 1980 spring planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Alfred A. Wnek, located at 3145 Union Road, Town of Cheektowaga, New York 14227, between the hours of 8:30 A.M. and 4:00 P.M., Monday through Friday.

Non-Collusion forms must be signed and submitted with each bid.

RICHARD M. MOLESKI, Town Clerk

DATED: February 25, 1980  
PUBLISHED: February 28, 1980

\*\*\*\*\*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sediter*, 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 ..... *February 28, 1980* ..... ;  
last publication ..... *February 28, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sediter*

Sworn to before me this ..... *29th* .....

day of ..... *February* ....., 19 *80* .....

..... *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  
TOWN OF CHEEKTOWAGA  
NEW YORK**

**SEALED PROPOSALS** will be received and considered by the Cheektowaga Town Board, on **March 17, 1980 at the 7:00 P.M.** meeting, held at the Town Hall, corner Broadway and Union Roads, Town of Cheektowaga, New York for the purpose of furnishing new trees for 1980 spring planting.

Specifications for new trees may be picked up at the office of the Superintendent of Highways, Alfred A. Wnek, located at 3145 Union Road, Town of Cheektowaga, New York 14227, between the hours of 8:30 A.M. and 4:00 P.M. Monday through Friday.

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

**RICHARD M. MOLESKI  
Town Clerk**

Town of Cheektowaga, New York  
**DATED: February 25, 1980  
PUBLISHED: February 28, 1980**

Item No. 15 Notice to Bidders - One (1) 3/4 ton chassis mounted with an Animobile truck body or equal for Cheektowaga Police Department This item was withdrawn.

Item No. 16 Motion by Councilman Dux, seconded by Councilman Burst

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Point Blank, Model 15, Armored Vests for use in the Cheektowaga Police Department. Information for bidders and specifications may be obtained from the Town Clerk's Office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., on March 11, 1980 for the purpose of properly opening and reading the sealed bids.

The above resolution was called for amendment by Councilman Dux, seconded by Councilman Burst and the vote on the amendment was as follows:

Upon Roll Call....

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

and said amendment was adopted as attached hereto:

Motion by Councilman Dux, seconded by Councilman Burst

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Point Blank, Model 15, Armored Vests for use in the Cheektowaga Police Department. Information for bidders and specifications may be obtained from the Town Clerk's Office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M. on March 17, 1980 for the purpose of properly opening and reading the sealed bids.

\*\*\*\*\*

NOTICE TO BIDDERS

Sealed proposals will be received and considered 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, Cheektowaga, New York at 7:00 P.M., Eastern Standard Time on March 17, 1980 for the furnishing of Point Blank, Model 15, Armored Vests, with side panels for use in the Cheektowaga Police Department. Information for bidders and specifications may be obtained from the Town Clerk's Office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York.

MARY F. HOLTZ  
Deputy Town Clerk

DATED: February 25, 1980

\*\*\*\*\*

Upon Roll Call....

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

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 ..... *1* ..... weeks:  
first publication ..... *February 28, 1980* ..... ;  
last publication ..... *February 28, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechters*.....  
Sworn to before me this ..... *29th* .....  
day of ..... *February* ....., 19..... *80* .....  
..... *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, 1981

**LEGAL NOTICE  
NOTICE TO BIDDERS**

Sealed proposals will be received and considered 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, Cheektowaga, New York at 7:00 P.M. Eastern Standard Time on March 17, 1980 for the furnishing of Point Blank, Model 15 Armored Vests with side panels for use in the Cheektowaga Police Department. Information for bidders and specifications may be obtained from the Town Clerk's Office located in the Town Hall, Broadway and Union Road, Cheektowaga, New York.

**MARY F. HOLTZ**

Deputy Town Clerk

DATED: February 25, 1980



Item No. 17 Notice to Bidders - Purchase of 15 new cars for Police Department  
This item was withdrawn.

Item No. 18 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Cedargrove Heights area of the Town of Cheektowaga was designated as a neighborhood strategy area for improvements utilizing Community Development Block Grant Funds, and

WHEREAS, this Town Board wants to proceed with this project which includes the installation of twin 36" pipes to intercept the Oehman Boulevard-Rosary Drainage outfall on the west side of Cedargrove and relocated a portion of the former Tiorunda Ditch southwest to convey all storm waters to a Town owned ditch discharging into Scajaquada Creek Tributary II, and

WHEREAS, the Town Engineer advised the Town Board that plans and specifications are ready for this project, and

WHEREAS, Community Development Funds have been appropriated for this project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders in connection with said construction, notice to be published in the BUFFALO EVENING NEWS, COURIER EXPRESS, CHEEKTOWAGA TIMES and the BUFFALO CRITERION, and BE IT FURTHER

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

RESOLVED that this Town Board will meet on the 17th day of March, 1980 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 the public meeting held for that purpose.

\* \* \* \* \*

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 17th day of March, 1980 at 7:00 P.M., Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of the Oehman Boulevard Extension, Cedargrove Culvert Project, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the 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 in the Town Hall.

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

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of the Oehman Boulevard Extension, Cedargrove Culvert Project."

Item No. 18 cont'd

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

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

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

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

This contract shall be completed no later than 140 consecutive calendar days from the date of the Notice to Proceed.

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

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

TOWN OF CHEEKTOWAGA, NEW YORK  
RICHARD M. MOLESKI, Town Clerk

DATED: February 25, 1980  
PUBLISHED: February 28, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys 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 ..... weeks:  
first publication ..... *February 28, 1980* ..... ;  
last publication ..... *February 28, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechter*.....

Sworn to before me this ..... *28th* .....

day of ..... *February* ....., 19 *80* .....

*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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 17th day of March, 1980, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of the Oehman Boulevard Extension, Cedargrove Culvert Project, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the 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 in the Town Hall.

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

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the contract or the rejection of the bids will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any

bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of the Oehman Boulevard Extension, Cedargrove Culvert Project."

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the

Town of Cheektowaga, and in accordance with law, are herewith reserved.

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

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

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

This contract shall be completed no later than 140 consecutive calendar days from the date of the Notice to Proceed.

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

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

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

DATED: February 25, 1980

PUBLISHED: February 28, 1980

No. 5

No. 6



**State of New York**  
**ERIE COUNTY**  
**CITY OF BUFFALO**

**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 17th day of March, 1980, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of the Oehman Boulevard Extension, Cedar Grove Culvert Project, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the 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 in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 210 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14221, and marked as "Proposal for the Construction of the Oehman Boulevard Extension, Cedar Grove Culvert Project."

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

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

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

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

This contract shall be completed no later than 180 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2804 of the Public Authorities Law which requires a bidder's certificate of non-collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

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

Town of Cheektowaga, New York  
 RICHARD M. MOLESKI  
 Town Clerk  
 Dated: February 25, 1980

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 once ~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXX~~ the first insertion being on the 28th  
day of February 19 80 ~~and the last~~  
~~insertion being on the XXXXXXXX day of XXXXXXXX XXXXX~~

*Ronald F. Baron*

Sworn to \_\_\_\_\_ th day

of \_\_\_\_\_ 80

*X. Vollmer Jr.*

FRANCIS X. VOLLMER JR.  
 Notary Public, State of New York  
 Qualified in Erie County  
 My Commission Expires March 30, 1981

Notary Public, Erie County, N. Y.



STATE OF NEW YORK  
Erie County, City of Buffalo, } ss.

NOTICE TO HIDEES  
NOTICE IS HEREBY  
The jobs are provided in the  
Variety of Work  
mer.  
receives about \$760 over the sum-  
week, so each participant re-  
hour for as much as a 35-hour  
minimum wage of \$3.10 an  
The positions pay the federal  
between the ages of 14 and 21.  
disadvantaged persons be-  
ing in a variety of fields for  
weeks of employment or train-  
ment program provides seven  
The summer youth employ-  
(CETA).  
Employment and Training Act  
jobs under the Comprehensive  
than \$2.4 million to fund the  
mentees will receive more  
Western New York com-  
R.N.Y., said Wednesday.  
summer, Sen. Jacob K. Javits,  
New York young people this  
than 7,000 jobs for Western  
al government will fund more

Alice Anderson

of the City of Buffalo, being duly sworn, deposes and  
says, that he is chief clerk in the office of BUFFALO  
COURIER-EXPRESS a daily newspaper published  
in said City, that the notice, of which the annexed  
printed slip taken from said newspaper is a copy,  
was inserted and published therein... once  
a week for ..... weeks the first insertion  
being on the 28 day of February  
19 80 and the last insertion being on the .... day  
of ....., 19 , and not more than .....  
days intervened between any two publications  
thereof.

*Alice Anderson*

Sworn before me this 28 day  
of February 19 80

SEYMOUR ROSING  
Notary Public, Erie County, New York  
Commission Expires 12/31/80, 1980

*S. Rosing*  
Notary Public, Erie County, N.Y.

STATE OF NEW YORK  
 Erie County, City of Buffalo } ss.

**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 17th day of March, 1980, at 1:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of the Oshman Boulevard Extension, Cedar Grove Culvert Project, complete, in place, and ready for use in accordance with the Contract Documents hereinafter including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the 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 in the Town Hall.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 810 Delaware Avenue, Buffalo, New York 14202. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$5.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of the Oshman Boulevard Extension, Cedar Grove Culvert Project."

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

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

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

The successful bidder will be required to furnish a performance bond acceptable to the Clerk, in an amount equal to the contract award.

This contract shall be completed no later than 140 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 205 of the Public Authorities Law which requires a bidder's certificate of non-discrimination. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

**BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11244 THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.**

Town of Cheektowaga, New York  
 Richard M. Malinski, Town Clerk

Dated: February 28, 1980

being duly sworn, deposes and says that he has read the foregoing and that the same is true and correct in all particulars and that he has signed the same in the office of BUFFALO daily newspaper published and distributed in Buffalo, New York, on the 28th day of February, 1980, and that the said newspaper is a copy of the Buffalo News, published therein once a week, the first insertion being on the 28th day of February, 1980, and not more than

days intervened between any two publications thereof.

*Richard M. Malinski*

Sworn before me this 28 day of February 19 80

STEYNGOUR ROSING  
 Notary Public, Erie County, New York  
 Commission Expires March 30, 1981

*S. Rosing*  
 Notary Public, Erie County, N.Y.



STATE OF NEW YORK

Erie County, City of Buffalo

ss.

**The BUFFALO CRITERION**

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

Frank E. Merriweather

of the City of Buffalo, being duly sworn deposes and says,  
that ...he is Editor-Publisher of The Buffalo  
Criterion, a weekly newspaper published in said City, that  
the notice, of which the annexed printed slip taken from  
said newspaper is a copy, was inserted and published there-  
in once a week for one  
weeks, the first insertion being on the 27th day of  
Feb., 1980 and the last insertion be-  
ing on the ..... day of .....

*Frank E. Merriweather*

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 31st day of

March 1980  
*Arthur K. Posluszny*

ARTHUR K. POSLUSZNY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1981

## Notice to Bidders

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 17th Day of March, 1980, at 7:00 P.M. Local Time in the Town Hall in the Town of Cheektowaga, New York, for furnishing all tools, equipment, materials and labor for the construction of the Oehman Boulevard Extension, Cedargrove Culvert Project, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for the 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 in the Town Hall.

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

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Construction of the Oehman Boulevard Extension, Cedargrove Culvert Project."

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

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

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

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

This contract shall be completed no later than 140 consecutive calendar days from the date of the Notice to Proceed.

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

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

Town of Cheektowaga, New York  
Richard M. Moleski, Town Clerk

Dated: February 25, 1980

Published: February 28, 1980

No. 5

No. 6

No. 7

No. 8

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

WHEREAS, bids were duly received by this Town Board at a meeting held on January 21, 1980 for Portable Chemical Toilets used in the Town Parks as a result of advertisement thereof, and such Bids were referred to the Facilities Department for analysis, tabulation and report, and

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

RESOLVED that Items No. 1 and No. III be awarded to Johnny-On-The-Spot, Inc., P.O. Box 205, Model City, New York, the lowest and only responsible Bidder meeting all specifications, and that Items No. II, IV A, IV B, IV C and IV D be rejected.

\* See next page for tabulation



Item No. 19 cont'd

Upon Roll Call....

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

Item No. 20 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, Notice to Bidders was duly published for the receipt of bids for a pre-fabricated metal building, which bids were duly received and opened at a public meeting called for that purpose, and

WHEREAS, said bids were referred to the Youth Bureau for analysis, tabulation and report, and

WHEREAS, said report submitted in a letter from the Director of the Youth Bureau dated February 20, 1980 is attached and considered part of said resolution, NOW, THEREFORE, BE IT

RESOLVED that the bid for a pre-fabricated building be awarded to RICHARDSON MILLING COMPANY, 351 Union Street, Hamburg, New York 14075, said unit price of \$6,095.00 being the lowest responsible bid meeting the requirements of the specifications.

\* See next two (2) pages for letter

The  
Town of  
Cheektowaga



ERIE COUNTY, NEW YORK  
TOWN HALL, BROADWAY AND UNION ROAD  
CHEEKTOWAGA, NEW YORK 14227

716-686-3462

YOUTH BUREAU  
KENNETH J. KOPACZ  
EXECUTIVE DIRECTOR

YOUTH BOARD  
FRANK E. SWIATEK  
CHAIRMAN

M E M O R A N D U M

TO: Town Board Members

FROM: Kenneth J. Kopacz  
Executive Director *KJK*

RE: Pre-Fab Metal Building Bid

DATE: February 20, 1980

Following is a list of all the bids we received for our pre-fab metal building starting with the low bidder:

- |   |             |
|---|-------------|
| 1. Richardson Milling Co.<br>351 Union Street<br>Hamburg, N.Y. 14075                      | \$ 6,095.00 |
| 2. Burgio & Campofelice, Inc.<br>850 Niagara Falls Blvd.<br>Buffalo, N.Y. 14223           | \$ 6,999.00 |
| 3. N.H. Vanson, Inc.<br>9489 Alexander Rd.<br>Alexander, N.Y. 14005                       | \$ 7,912.00 |
| 4. Downer Construction, Inc.<br>4804 Transit Rd.<br>Depew, N.Y. 14043                     | \$ 8,013.00 |
| 5. Nichter Associates<br>26 Arthur St.<br>Buffalo, N.Y. 14207                             | \$ 8,296.00 |
| 6. P.A.T. Construction, Inc.<br>2457 Wehrle Dr.<br>Williamsville, N.Y. 14221              | \$ 8,630.00 |
| 7. Ray Barczak<br>50 Maria Lane<br>Cheektowaga, N.Y. 14227                                | \$ 9,204.00 |
| 8. Mobilia General Construction, Inc.<br>211 Park Forest Dr.<br>Williamsville, N.Y. 14221 | \$14,995.00 |

"Children are the world's most valuable resource and its best hope for the future."

-2-

After looking over each bid, I recommend that Richardson Milling Company be awarded the bid for a price of \$6,095.00.

KJK/lp

Item No. 20 cont'd

Upon Roll Call....

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

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Notice to Bidders was duly published for the receipt of bids for cleaning storm sewers at various locations in the Town of Cheektowaga, which bids were duly received and opened at a public meeting called for that purpose, and

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

WHEREAS, said report submitted in a letter from the Town Engineer dated February 21, 1980 is attached and considered part of said resolution, NOW, THEREFORE, BE IT

RESOLVED that the contract for cleaning storm sewers be awarded to Superior Pipe Cleaning, Inc., 168 Woodlawn Avenue, Woodlawn, New York 14219, said unit bid prices being the lowest responsible bid meeting the requirements of the specifications.

Storm Sewers 8" to 12" Diameter \$48.00 per crew hour

Storm Sewers 15" to 24" Diameter \$48.00 per crew hour

Storm Sewers 30" to 48" Diameter \$54.00 per crew hour

Mobilization - No Charge

\* See next two (2) pages for letter





# Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.  
TOWN ENGINEER  
716-600-8000  
686-3449

February 21, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Bid Award  
Storm Sewer Cleaning

Gentlemen:

Bids were received and publicly opened at the Regular Town Board Meeting of February 4, 1980 for the cleaning of storm sewers at various locations in the Town of Cheektowaga.

Four (4) bids were received and tabulated as follows:

BIDDER	8"-12" Dia. Sewer per crew hour per 8 hour day. Estimate 20 days	15"-24" Dia. " " " " " " " " 10 days	30"-48" Dia. " " " " " " " " 5 days	Mobil- ization estimate 2 calls	Total Bid
Superior Pipecleaning Woodlawn, NY	\$48.00 per crew hour or \$7,680	\$48.00 per crew hour or \$3,840	\$54.00 per crew hour or \$2,160	--	\$13,680
Skanex Pipe Service Inc Palmyra, NY	\$50.00 per crew hour or \$8,000	\$50.00 per crew hour or \$4,000	\$60.00 per crew hour or \$2,400	\$500	\$14,900
Penetryn Systems, Inc. Latham, NY	\$75.00 per crew hour or \$12,000	\$75.00 per crew hour or \$6,000	\$75.00 per crew hour or \$3,000	\$600	\$21,600
Robinson Pipe Co. Cannonsburg NY	\$80.00 per crew hour or \$12,800	\$80.00 per crew hour or \$6,400	\$80.00 per crew hour or \$3,200	\$2,000	\$24,400

TO THE SUPERVISOR  
AND TOWN BOARD MEMBERS

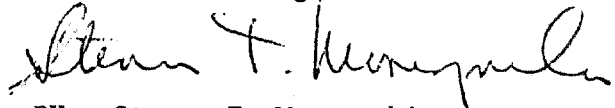
February 21, 1980  
Page 2

It is recommended that the bid be awarded to Superior Pipecleaning, Inc. for submission of the lowest bid meeting the requirements of the specifications. The Town is familiar with the operation of Superior Pipecleaning as they did the work in our 1977 Sewer Cleaning Project.

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. 21 cont'd

Upon Roll Call....

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

Item No. 22 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that Chester Bryan, Town Engineer, be and hereby is directed to prepare a "Planned Use Proposal" for the Town of Cheektowaga's current \$400,000 Federal Revenue Sharing allocation for capital projects, said "Proposal" to include major flood relief projects, small sewer projects based on citizen complaints and/or requests at public hearings, contracted sewer cleaning and ditch work, easement acquisition and engineering fees, and BE IT FURTHER

RESOLVED that said "Planned Use Proposal" be submitted to the Town Board for review no later than April 1, 1980.

Upon Roll Call....

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

Item No. 23 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, the Congress of the United States is currently drafting legislation for a Public Works Bill, including provisions for local public works projects, and

WHEREAS, upon passage of such legislation, the Town of Cheektowaga may be eligible for program funding of various capital projects, NOW, THEREFORE, BE IT

RESOLVED that Chester Bryan, Town Engineer, be and hereby is authorized to secure engineering proposals and recommend payment of fees for the requisite updating of designed projects or phases thereof which may be eligible for federal Public Works funding, and BE IT FURTHER

RESOLVED that said engineering fees will be chargeable against the Town's Federal Revenue Sharing Account.

Upon Roll Call....

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

Item No. 24 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Northeast Interceptor was placed into use so as to relieve the sanitary sewer system in Sanitary Sewer District No. 7, and

WHEREAS, it is now possible to determine local sanitary sewer problems in said Sanitary Sewer District No. 7, and

WHEREAS, the Town Engineer requested the Consulting Firm of Nussbaumer & Clarke, Inc. to prepare a proposal to correct deficiencies in Sanitary Sewer District No. 7, NOW, THEREFORE, BE IT

RESOLVED that the Consulting firm of Nussbaumer & Clarke, Inc. is hereby authorized to proceed with engineering work to correct said sewer deficiencies in accordance with their proposal dated February 20, 1980 to the Town Engineer, and BE IT FURTHER

RESOLVED that the engineering fees chargeable to this project be paid for through the Sanitary Sewer Special District Budget, and BE IT FURTHER

Item No. 24 cont'd

RESOLVED that the Supervisor be and hereby is authorized to sign acceptance of the proposal contained in a letter of said Consulting Engineer, dated February 20, 1980, a copy of which is attached hereto and made a part hereof.

\* See next two (2) pages for letter



Nussbaumer & Clarke, Inc.

Consulting Engineers . . . . . Surveyors

310 Delaware Avenue Buffalo, New York 14202

(716) 853-7582

DANIEL J. HURLEY, Chairman  
JO J. CARUSO, President  
CHARLES E. VANDERBROOK, Vice-President  
ALTER E. ROEDER, Secretary-Treasurer  
FRIEDRICH BARBASCH, Chief Engineer  
RAYMOND D. SULLIVAN, Controller

WASTE WATER TREATMENT  
WATER SUPPLY  
SOLID WASTE DISPOSAL  
SEWERS  
LAND SURVEYING  
DRAINAGE-FLOOD CONTROL  
ARCHITECTURAL SERVICES  
ENERGY MANAGEMENT

OSWEGO OFFICE  
P. O. Box 162  
Oswego, N. Y. 13126  
(315) 342-3010

February 20, 1980

Re: Town of Cheektowaga, New York  
Miscellaneous Sewer Improvements  
Sanitary Sewer District No. 7  
Proposal  
NCI File No. 80-907

Mr. Chester L. Bryan, P.E.  
Town Engineer  
Town Hall  
Broadway and Union Road  
Cheektowaga, New York 14227

Dear Mr. Bryan:

In response to your request for proposal dated February 8, 1980, and your meeting with our personnel February 7, 1980, we are pleased to submit our proposal for engineering services to include the following sewer improvements:

1. North Creek Sewer Extension from Ellsworth to Union Road  
  
Install bypass sewer from end of North Creek Drive to Union Road, including bore under Union Road. The estimated construction cost is \$ 90,000.00
  
2. Patrick-Meadowlawn Flow Improvement  
  
Investigate the installation of a bypass sewer across Meadowlawn Road to improve flow conditions. If feasible, the estimated construction cost is \$ 5,000.00
  
3. The Marlene Siphon Elimination  
  
Install a new sewer through the top of an existing storm sewer, abandon the siphon pipes and modify the existing chambers. The estimated construction cost is \$ 7,000.00
  
4. Lydia Lane Flow Improvement  
  
Remove a portion of 15" pipe and install new 18" pipe. The estimated construction cost is \$ 3,000.00

Mr. Chester L. Bryan, P.E.

Page 2

February 18, 1980

Summary of Construction Costs

1. North Creek to Union	\$ 90,000.00
2. Patrick-Meadowlawn	5,000.00
3. Marlene Siphon	7,000.00
4. Lydia Lane	<u>3,000.00</u>
Total	\$105,000.00

Totals include 10% contingencies

Engineering Services

We propose to furnish the following engineering services:

1. Final design plans and profiles, including necessary details of the following:
  - a. Plan and profile - Ellsworth to Union, including bore details
  - b. Plan and profile - Patrick-Meadowlawn
  - c. Plan and profile including details of Marlene Siphon
  - d. Plan and profile of Lydia Lane problem
  - e. Index Map
  - f. Manhole and miscellaneous details
  - g. Trench and pay limit details
2. Provide specifications including Contract Documents and Bid Proposals for all or any combination of work selected by the Town.
3. Perform design surveying.
4. Prepare final estimates of cost based on completed design.
5. Indicate on the design drawings the required easements - all easements are to be obtained by the Town.
6. Assist in obtaining the necessary approvals for bidding.
7. Assist the Town in taking bids.
8. Provide general services during construction such as review of shop drawings, processing estimates and/or change orders and project coordination.

Mr. Chester L. Bryan, P.E.

Page 3

February 18, 1980

9. Provide construction survey stakeout (once only) and cut sheets.

Our charges for the above nine (9) items of work would be on a per diem basis. The total cost of Items 1 through 9 inclusive would not exceed \$6,600.00.

Monthly or periodic statements regarding payments will be submitted on actual direct wages times a multiplier of 2.64. The multiplier consists of fringe benefits, overhead and fee. Mileage will be billed at 22¢ per mile and other expenses will be at cost.

The above proposal does not include any services of a construction observer. These services can be provided at additional cost if they are needed.

We will proceed with the work immediately upon receipt of your written authorization to proceed.

We wish to thank you for giving us the opportunity to submit this proposal. We are hopeful that we will be favorably considered for this work. If you have any questions relative to this proposal, please contact us. Acceptance of this proposal can be made by signing and returning the original of this letter to our office. The duplicate is for your file.

Yours truly,

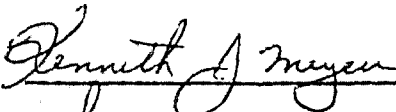
NUSSBAUMER & CLARKE, INC.

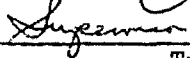


Vito Caruso, P.E.  
President

CRP;mp

Accepted by:





Title

2/26/80

Date

Item No. 24 cont'd

Upon Roll Call....

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

Item No. 25 Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the present amber-red flashing signal at Cleveland Drive and Century Road be changed to a 4-way red flashing signal, and

WHEREAS, funds have been allocated for such a project, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Highway Department be and hereby is requested to grant a permit to the Town of Cheektowaga for the purpose of changing the present amber-red flashing signal at Century Road and Cleveland Drive to a 4-way all red flashing signal with twelve-inch ball indicators on both Century Road and Cleveland Drive.

Upon Roll Call....

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

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

WHEREAS, the Town of Cheektowaga has been awarded a grant in the amount of \$4,316.36 by the State of New York for the replacement of traffic signs at various locations throughout the Town, and

WHEREAS, the project, funded under the Federal-Aid Safer Off-System Roads Program, defined in Section 219 of Title 23 United States Code, calls for the apportionment of costs for the program to be borne at the ratio of 70% Federal funds and 30% State or local funds, and

WHEREAS, the Town of Cheektowaga recognizes that State funds are not available for the non-Federal share of the project, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga concurs with the general aspects of the above project and desires the said project to be administered by the New York State Department of Transportation, and BE IT FURTHER

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

RESOLVED that the Town is hereby authorized to provide the 30% non-Federal share of the costs of the project and hereby authorizes the Town to participate in the cost of the project by providing in-kind services for the project to be performed by local forces, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute all necessary agreements, on behalf of the Town of Cheektowaga with the New York State Department of Transportation for said Traffic Sign Replacement Program, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Mr. R.J. Russell, Assistant Regional Traffic Engineer, New York State Department of Transportation, 125 Main Street, Buffalo, New York, 14202.

Upon Roll Call....

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



Item No. 27 Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, Dingens Street in the Town of Cheektowaga is a heavily travelled thoroughfare, and

WHEREAS, a traffic signal is presently located at South Colby and Dingens Street, and

WHEREAS, the location of a Town swimming pool has generated a large increase of pedestrian traffic crossing at Dingens at Alaska Street, one (1) block west of South Colby, and

WHEREAS, the Traffic Safety Commission has received numerous requests to move the signal from Dingens and South Colby to Dingens and Alaska Streets, NOW, THEREFORE, BE IT

RESOLVED that it be requested the the County of Erie issue a permit for the Town of Cheektowaga to move the signal from Dingens Street and South Colby Street to Dingens Street and Alaska Street, and BE IT FURTHER

RESOLVED that the Supervisor be and is hereby authorized to execute any and all documents in connection with said permit, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to the County of Erie Department of Public Works, Highway Division, 95 Franklin Street, Buffalo, New York 14202.

Upon Roll Call....

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

Item No. 28 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, funds are available through the New York State Department of Parks & Recreation for park and playground rehabilitation and improvement programs under the Outdoor Recreation Development Bond Act and under the Land and Water Conservation Fund Act of 1965, and

WHEREAS, the Town of Cheektowaga is desirous of undertaking a program of rehabilitation and improvements at various playgrounds throughout the Town, NOW, THEREFORE, BE IT

RESOLVED that James Matecki, Facility Department Director, and Jerome Gabryszak, Community Development Coordinator be and hereby are authorized to submit an application to the New York State Department of Parks and Recreation, Heritage and Conservation Recreation Service, for funding under the Outdoor Recreation Development Bond Act and the Land and Water Conservation Fund Act of 1965 for the rehabilitation and improvement of the following Town playgrounds:

Cedargrove Heights (Tiorunda) Playground  
Nokomis Playground  
Theodore Roosevelt Playground  
Raymond Playground  
North Creek Playground  
South Creek Playground

said listing representing the Town's priorities, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign any and all documents necessary for said application.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau has been tentatively selected as a Youth Conservation Corps grant recipient for the summer of 1980, and

WHEREAS, the State of New York has agreed to pay a tentative amount of \$14, 600.00 toward the total cost of the project, NOW, THEREFORE, BE IT

RESOLVED That the Supervisor be and hereby is authorized to sign the forthcoming agreement with the New York State Department of Environmental Conservation to operate said project.

Upon Roll Call....

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

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

WHEREAS, the developers of the Martinique Subdivision (Castine and Kidawski) have entered into a contract with Merriman Conservation Consultants, Inc. to construct and complete certain channel improvements to Slate Bottom Creek as required under the accepted subdivision plans, and

WHEREAS, the subdivision developers (Castine and Kidawski) have submitted a Certificate of Deposit to the Town Clerk in the amount of \$21,000 as security for the completion of these channel improvements, and

WHEREAS, a major portion of the required channel improvements have been during 1979 and the remaining portion will be completed during the 1980 construction season, and

WHEREAS, the developers of this project have requested a release of \$15,000 from the total amount of \$21,000 being held as a security deposit so that payment can be made to Merriman Conservation Consultants, Inc. for this already completed work, NOW, THEREFORE, BE IT

RESOLVED that the sum of \$15,000 be released from the total amount of \$21,000 so that payment can be made to Merriman Conservation Consultants, Inc. for this already completed work.

Upon Roll Call....

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

Item No. 31 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Senior Engineer Assistants, Robert E. Vallone, Edward Lepczyk, and Rudolph Bogacki were named as defendants in a certain lawsuit commenced against them by a then Town Employee in their office, to wit: Gloria Kowalczyk, said lawsuit was commenced on or about May 15, 1975, and

WHEREAS, said lawsuit included allegations related to the administration, procedures and work-related matters connected with the Town Engineering Department, and

WHEREAS, at the time of the commencement of said action, it was determined by the Town that it should not utilize the services of the Town Attorney's Office in a legal matter involving Town Employees because of a possible conflict of interest, and whereupon said Robert E. Vallone, Edward Lepczyk and Rudolph Bogacki retained private legal counsel to defend and represent them in said lawsuit and said attorneys notified the Town of their retainer, and

WHEREAS, it further appears that the plaintiff's claim was unsuccessful and dismissed and no recovery was obtained in favor of the plaintiff, and

Item No. 31 cont'd

WHEREAS, this Town Board, based on a legal opinion of the Deputy Town Attorney, James J. Kirisits, duly passed a resolution on December 27, 1979, authorizing the reimbursement of attorneys fees paid by the Town Engineer, Chester L. Bryan, who was also named as a defendant in the aforementioned lawsuit commenced by Gloria Kowalczyk, NOW, THEREFORE, BE IT

RESOLVED that the said Robert E. Vallone, Senior Engineer Assistant, be and hereby be reimbursed for payment of attorney's fees to his private legal counsel, the firm of Blase Palumbo, in the sum of \$350.00, and the said Edward Lepczyk and Rudolph Bogacki be and hereby be reimbursed for payment of attorney's fees to their private legal counsel, the firm of Condon, Sedita and Latona, in the sum of \$750,00 each, upon their submission of a proper voucher to the Town Accounting Department, said amount appearing to be a reasonable value of said legal services.

Upon Roll Call....

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

Item No. 32a Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Consulting Engineering firm of Nussbaumer & Clarke, Inc. have submitted a Change Order on the Northeast Interceptor Project and recommend its approval, and

WHEREAS, Change Order No. 4 (Final) Contract No. 2B is defined and explained in a letter from the Town Engineer dated February 21, 1980 and considered part of this resolution; NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 4 (Final) Contract No. 2B as a decrease in the amount of \$8,133.00 to the contract cost of the Northeast Interceptor Project (C-36-323) of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program with the Amadori Construction Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 5.

\* See next two (2) pages for letter



## Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.  
TOWN ENGINEER  
/16-686-3448

February 21, 1980

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 three (3) Change Orders on the Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program.

Change Order No. 16 (Final) Contract No. 1  
Decrease of \$60,846.00

This Change Order reflects the as built quantities by field measurement of items in the original Bid Proposal and of estimates of required material and labor of previous Change Orders. The Change Order is completely documented to note the amounts of each of about fifteen (15) different items that were reduced or increased in quantities of pipe, stone, concrete, sheet piling, etc. that were necessary to complete the project. The final cost of Contract No. 1 is \$3,751,550.62.

Change Order No. 11 (Final) Contract No. 2A  
Decrease of \$8,551.50

This Change Order also reflects the as built quantities by field measurement of items in the original bid and subsequent Change Orders and is documented in the Change Order. The final cost of Contract No. 2A is \$2,085,326.77.

Change Order No. 4 (Final) Contract No. 2B  
Decrease of \$8,133.00

This Change Order also reflects the as built quantities of items required to complete the contract. The final cost of this contract is \$334,214.95.

TO THE SUPERVISOR AND  
TOWN BOARD MEMBERS


February 21, 1980  
Page 2

The total Northeast Interceptor from the Treatment Plant to Sugg Road is now complete and no additional construction or engineering charges are expected.

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. 32a cont'd

Upon Roll Call....

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

Item No. 32b Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Consulting Engineering firm of Nussbaumer & Clarke, Inc. have submitted a Change Order on the Northeast Interceptor Project and recommend its approval, adn

WHEREAS, Change Order No. 16 (Final) Contract No. 1 is defined and explained in a letter from the Town Engineer, dated February 21, 1980 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 16 (Final) Contract No. 1 as a decrease in the amount of \$60,846.00 to the contract cost of the Northeast Interceptor Project (C-36-323) of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program with the Amadori Construction Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 5.

\* See next two (2) pages for letter



## Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.  
TOWN ENGINEER  
/16-686-3448

February 21, 1980

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 three (3) Change Orders on the Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program.

Change Order No. 16 (Final) Contract No. 1  
Decrease of \$60,846.00

This Change Order reflects the as built quantities by field measurement of items in the original Bid Proposal and of estimates of required material and labor of previous Change Orders. The Change Order is completely documented to note the amounts of each of about fifteen (15) different items that were reduced or increased in quantities of pipe, stone, concrete, sheet piling, etc. that were necessary to complete the project. The final cost of Contract No. 1 is \$3,751,550.62.

Change Order No. 11 (Final) Contract No. 2A  
Decrease of \$8,551.50

This Change Order also reflects the as built quantities by field measurement of items in the original bid and subsequent Change Orders and is documented in the Change Order. The final cost of Contract No. 2A is \$2,085,326.77.

Change Order No. 4 (Final) Contract No. 2B  
Decrease of \$8,133.00

This Change Order also reflects the as built quantities of items required to complete the contract. The final cost of this contract is \$334,214.95.

TO THE SUPERVISOR AND  
TOWN BOARD MEMBERS

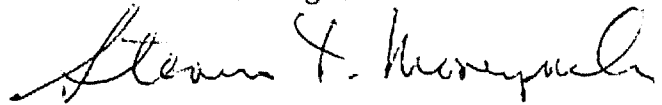
February 21, 1980  
Page 2

The total Northeast Interceptor from the Treatment Plant to Sugg Road is now complete and no additional construction or engineering charges are expected.

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. 32b cont'd

Upon Roll Call....

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

Item No. 32c Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Consulting Engineering firm of Nussbaumer & Clarke, Inc. have submitted a Change Order on the Northeast Interceptor Project and recommend its approval, and

WHEREAS, Change Order No. 11 (Final) Contract No. 2A is defined and explained in a letter from the Town Engineer, dated February 21, 1980 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 11 (Final) Contract No. 2A as a decrease in the amount of \$8,551.50 to the contract cost of the Northeast Interceptor Project (C-36-323) of the Town of Cheektowaga Sewer District No. 5 Pollution Abatement Program with Amadori Construction Company, Inc. be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order on behalf of the Town of Cheektowaga Sewer District No. 5.

\* See next two (2) pages for letter



## Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.  
TOWN ENGINEER  
/16-686-3448

February 21, 1980

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 three (3) Change Orders on the Northeast Interceptor Project of the Sewer District #5 Water Pollution Control Program.

Change Order No. 16 (Final) Contract No. 1  
Decrease of \$60,846.00

This Change Order reflects the as built quantities by field measurement of items in the original Bid Proposal and of estimates of required material and labor of previous Change Orders. The Change Order is completely documented to note the amounts of each of about fifteen (15) different items that were reduced or increased in quantities of pipe, stone, concrete, sheet piling, etc. that were necessary to complete the project. The final cost of Contract No. 1 is \$3,751,550.62.

Change Order No. 11 (Final) Contract No. 2A  
Decrease of \$8,551.50

This Change Order also reflects the as built quantities by field measurement of items in the original bid and subsequent Change Orders and is documented in the Change Order. The final cost of Contract No. 2A is \$2,085,326.77.

Change Order No. 4 (Final) Contract No. 2B  
Decrease of \$8,133.00

This Change Order also reflects the as built quantities of items required to complete the contract. The final cost of this contract is \$334,214.95.

TO THE SUPERVISOR AND  
TOWN BOARD MEMBERS

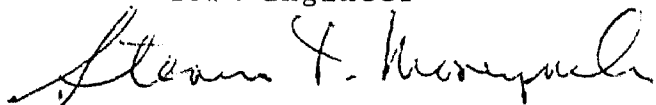
February 21, 1980  
Page 2

The total Northeast Interceptor from the Treatment Plant to Sugg Road is now complete and no additional construction or engineering charges are expected.

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. 32c cont'd

Upon Roll Call....

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

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

WHEREAS, field measurement of quantities required in the contract of the Marrano Drive-Kelly Park Drainage Project with the C.M.H. Company, Inc. were greater than noted in the specification and bid, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 2 for the construction work in the amount of \$1,085.75 in addition to the contract be approved. A description of the changes as an addition to the contract cost are described in a letter dated February 21, 1980 from the Town Engineer and considered part of said resolution, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Order for the C.M.H. Company, Inc. contract on behalf of the Town of Cheektowaga.

\* 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  
~~716-688-2200~~

686-3449

February 21, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Change Order No. 2  
Marrano Drive  
Kelly Park Drain

Gentlemen:

The engineering firm of Nussbaumer & Clarke has submitted one (1) Change Order on the above project and recommend its approval.

Change Order No. 1 - Add \$1,085.75

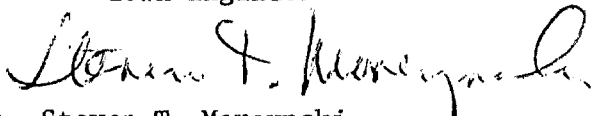
This change was required due to actual field measurement. Quantities for bid item No. 3 (grouted rip-rap) and bid item No. 6 (select material backfill) were increased. In addition, the quantity for bid item No. 8 (concrete sidewalk replacement) was increased as per direction by the Project Engineer of the Town of Cheektowaga. A cost breakdown of the items is on file in the Engineering Department.

Attached is a 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. 33 cont'd

Upon Roll Call....

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

Item No. 34 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that Change Order No. 2, Contract No. 3A, for the Town of Cheektowaga Main Pump Station at the Treatment Plant No. 5, in the amount of \$8,800 as an addition to the contract of Frank Ciminelli Construction Company, Inc., 135 Manhattan Avenue, Buffalo, New York 14215 be approved. The addition of costs is defined in a letter from the Town Engineer dated February 21, 1980 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  
716-686-3448

February 21, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Change Order No. 2  
Contract No. 3A  
Main Pump Station  
Treatment Plant No. 5

Gentlemen:

The engineering firm of Nussbaumer & Clarke, Inc. has submitted one (1) Change Order on the above project and recommend its approval.

Change Order No. 2 - Add \$8,800

This Change Order is necessary to provide additional protection to concrete surfaces exposed to raw sewerage. This protection will be accomplished by furnishing and applying bituminous dampproofing to the floor and walls of the influent channels; floor, walls and ceiling of the wet wells; interior floor, walls and roof of Chamber "A" and Chamber "B".

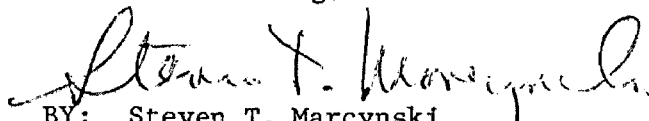
A total price breakdown noting square footage to be covered and cost is part of the Change Order document.

Attached is a 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. 34 cont'd

Upon Roll Call....

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

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

BE IT RESOLVED that the resolution for the "Creation of Department of Senior Services" be tabled.

Upon Roll Call....

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

Item No. 36 Motion by Councilman Burst, seconded by Councilman Johnson

BE IT RESOLVED that the resolution to "Set salaries of non-union employees" be tabled.

Upon Roll Call....

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

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

BE IT RESOLVED that the resolution for "Appointment of Town Attorney" be tabled.

Upon Roll Call....

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

Item No. 38 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the position of Working Foreman in the Town Sanitation Department, NOW, THEREFORE, BE IT

RESOLVED that Walter Dombrowski, Assistant Working Foreman, be and hereby is appointed to the position of Working Foreman in the Sanitation Department, effective immediately, at an annual salary of \$19,720.00.

The above resolution was called for amendment by Councilman Burst, seconded by Councilman Rogowski and the vote on the amendment was as follows:

Upon Roll Call....

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

and said amendment was adopted as attached hereto:

Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the position of Working Foreman in the Town Sanitation Department, NOW, THEREFORE, BE IT



Item No. 38 cont'd

RESOLVED that Walter Dombrowski, Assistant Working Foreman be and hereby is appointed to the position of Acting Working Foreman in the Sanitation Department, effective immediately at an annual salary of \$19,720.00.

Upon Roll Call....

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

Item No. 39 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the position of Assistant Working Foreman in the Town Sanitation Department, NOW, THEREFORE, BE IT

RESOLVED that Florian Majcyrzycki of Cheektowaga, New York, be and hereby is appointed to the position of Assistant Working Foreman in the Sanitation Department, effective immediately, at an annual salary of \$18,638.00.

The above resolution was called for amendment by Councilman Burst, seconded by Councilman Johnson and the vote on the amendment was as follows:

Upon Roll Call....

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

Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the position of Assistant Working Foreman in the Town Sanitation Department, NOW, THEREFORE, BE IT

RESOLVED that Florian Majcyrzycki of Cheektowaga, New York, be and hereby is appointed to the position of Acting Assistant Working Foreman in the Sanitation Department, effective immediately, at an annual salary of \$18,638.00.

Upon Roll Call....

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

Item No. 40 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Town Bingo Inspector, NOW, THEREFORE, BE IT

RESOLVED that Mr. Fred Smith of be and hereby is appointed to the position of Town Bingo Inspector, effective immediately, at the annual rate of \$3,500.00, and BE IT FURTHER

RESOLVED that the following individuals be and hereby are re-appointed as Town Bingo Inspectors at the annual rate of \$3,500.00 each, effective as of January 1, 1980:

John Grubka	Cheektowaga, New York
Leonard Kogut	Cheektowaga, New York
Charlotte Janiak	Cheektowaga, New York
Kenneth Jeffords	Cheektowaga, New York
Stanley Sliwinski, Jr.	Cheektowaga, New York

and BE IT FURTHER

RESOLVED that Alexander Mazgajewski of be and hereby is appointed Bingo Inspector Chairman at an annual salary of \$3,700.00. effective as of January 1, 1980.

Item No. 40 cont'd

Upon Roll Call....

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

Item No. 41 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau has been designated a recipient of Federal Funds to conduct a Youth Community Conservation and Improvement Project, (YDDIP), and

WHEREAS, the YCCIP is a Title IV Program of the Manpower Administration, with the purpose of providing employment and training to young adults, aged 16 through 19, who are unemployed, economically disadvantaged and have dropped out of school, NOW, THEREFORE, BE IT

RESOLVED that the following people be hired to participate in said program at the rate of \$3.10 per hour, the current minimum wage:

--Scott E. Anderson	--Philip S. Sokolik
--Anthony E. Attea	--George J. Smiercizk
--Paul B. Babiarz	--James P. Snow
--Susan S. Refermat	--Howard C. Zwelling
--Paul Viertel	--Jacqueline Ode

and BE IT FURTHER

RESOLVED that these positions become effective upon final approval of County of Erie Employment and Training Office.

Upon Roll Call....

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

Item No. 42 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga operates a van for the transportation of Senior Citizens, and

WHEREAS, funds have been allocated for the salaries of Senior Citizen Van Drivers, NOW, THEREFORE, BE IT

RESOLVED that William J. Boye of Cheektowaga, New York 14215 be and hereby is hired as part time van drive (20 hours weekly) at the rate of \$3.50 per hour.

Upon Roll Call....

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

Item No. 43 Motion by Councilman Rogowski, seconded by Councilman Dux

BE IT RESOLVED that Carol Serafini of Cheektowaga,

Item No. 43 cont'd

New York, be and hereby is appointed to the position of part-time temporary clerk-typist in the Justice Court, at the annual rate of \$11,434.66, as established in accordance with the present bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, said appointment retroactive to February 19, 1980.

Upon Roll Call....

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

Item No. 44 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Chief of Police has notified the Town Board of the need for temporary Police Matrons during the weeks of March 10 and March 24, 1980, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be hired as temporary Police Matrons for the indicated time periods:

Mary Machnica Depew, New York  
Week of March 10, 1980

Jacklyn Poisson Depew, New York  
Week of March 24, 1980

and BE IT FURTHER

RESOLVED that said individuals be reimbursed in the amount of \$92.31 each for their services.

Upon Roll Call....

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

Item No. 45 Appointment of temporary police matrons  
This item was withdrawn.

Item No. 46 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Facilities Department annually requires the additional staffing to supplement its full time staff due to seasonal duties, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be hired in the Cheektowaga Facilities Department at the rate of \$3.10 per hour as seasonal laborers.

Casimir A. Radomski

Cheektowaga, New York 14206  
Tele. No. 895-4674

Gregory P. Borqosz

Cheektowaga, New York 14206  
Tele No. 896-6860

David Kosmider

Cheektowaga, New York 14206  
Tele No. 894-8558

Item No. 46 cont'd

Upon Roll Call....

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

Item No. 47 Motion by Councilman Dux, seconded by Councilman Rogowski

BE IT RESOLVED that Rose Gawel, of \_\_\_\_\_ be and hereby is hired as a seasonal clerk in the Sanitation Department at the rate of \$3.10, said appointment effective as of 2/18/80.

Upon Roll Call....

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

Item No. 48 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the following fund transfers are hereby approved:

FROM:	Estimated Revenues	A.4737.100	\$120,015.99
TO:	Administration-Salaries	A.6257.100	3,158.00
	Administration-Fringes	A.6257.900	2,421.23
	Administration-Mileage	A.6257.408	72.00
	Administration-Postage & Telephone	A.6257.411	520.00
	Administration-Other Costs	A.6257.420	2,234.55
	Participant-Wages	A.6258.100	53,165.00
	Participant-Fringes	A.6258.900	25,248.00
	Training and Supervision-Salaries	A.6258.110	19,797.01
	Training and Supervision-Fringes	A.6258.910	11,912.44
	On-The-Job Training Costs	A.6258.449	1,030.76
	Other Costs	A.6258.420	97.00
	Staff-Auto Allowance	A.6258.408	360.00

and BE IT FURTHER

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

\* See next six (6) pages for fund transfers

TOWN OF CHEEKTOWAGA, NEW YORK  
 BUDGET TRANSFER REQUEST

2/20/80

Department \_\_\_\_\_

Date \_\_\_\_\_

SPECIAL DISTRICT Fund \_\_\_\_\_

<u>FROM</u>			<u>TO</u>	
Account	Title	\$	Account	Title
160.407	Uniform Replacement	\$3,000.00	G.8160.260	Pre-Fab Building

Signature \_\_\_\_\_

Explanation \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

2/20/80

Department

Date

GENERAL Fund

Account	FROM Title	\$	Account	TO Title
990.480	Contingency	\$18,750.00	A.9550.400	Add'l. Culverts-Down Payment
990.480	Contingency	\$ 8,790.00	A.9550.400	Alexander Bridge-Down Payment
310.467	Youth Service Projects	\$3,095.00	A.8160.260	Pre-Fab Building

Signature

nation

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Engineering  
Department

2-12-80  
Date

F.R.S. Fund

FROM			TO	
Account	Title	\$	Account	Title
F.8540.400	Drainage	5000.00	CF.8540.402	Airport Drainage Sta
F.8540.400	Drainage	11,000.00	CF8540.403	Scarpata Sub T-1
F.8540.400	Drainage	500.00	CF8540.404	Casemats

\_\_\_\_\_  
Signature

Explanation \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TOWN OF CHEEKTOWAGA, NEW YORK  
 BUDGET TRANSFER REQUEST

Recreation  
 Department

2-14-80  
 Date

General Fund

FROM			TO	
Account	Title	\$	Account	Title
1909	Lund Balance	\$1246.62	A7140.402	Arts + Crafts

Edward [Signature]  
 Signature

Explanation 1979 Bill received in 1980 + Paid from 1980 Budget. Money was allocated in 1979 Budget



TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Youth Bureau  
Department

2/20/80  
Date

General Fund

<u>FROM</u>			<u>TO</u>	
Account	Title	\$	Account	Title
310.493	Catchment IV Contract	\$10,000.00	A7310.498	Contribution to Corp IV

\_\_\_\_\_  
Signature

anation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Community Development  
Department

February 25, 1980  
Date

\_\_\_\_\_ Fund

FROM

TO

Account	Title	\$	Account	Title
	1978 Local Option	\$70,000.00		Cedargrove Heights
	1977 St. Felix Drainage	4,213.43		Cedargrove Heights

*Jerry J. Haluszak*  
Signature

Justification Repayment to Cedargrove Heights project fund

---



---



---



---



---

Item No. 48 cont'd

Upon Roll Call....

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

Item No. 49 Motion by Supervisor Meyers, seconded by Councilman Wegner

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to February 25, 1980 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	14110,14114-14280		\$ 818,799.18
SPECIAL DIST. FUND	6662,6666,6722-6790		308,799.18
HIGHWAY FUND	5142-5143,5188-5245		424,124.51
PART TOWN FUND	136,137,146-157		13,403.89
F.R.S. FUND	320		1,953.80
TRUST AND AGENCY FUND	770-787		1,830,735.19
CAPITAL FUND	300,303-308		366,568.76
H.U.D.-C.D.B.G. FUND	221-222		4,500.00
H.U.D.-N.P.P. FUND	117		2,256.00
DEBT SERVICE FUND	85		4,915.00
			<u>\$3,776.174.86</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 50 Health report for January, 1980  
Received and Filed.

Item No. 51 Minutes of Library Board  
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 52 N.Y.S. Dept. of Trans. - Town request for Traffic control on Harlem and William (Letter)  
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain Lis, Police Department; Cheektowaga Traffic Safety Commission.  
This item was Received and Filed.

Item No. 53 N.Y.S. Dept. of Trans. - petition of Greyhound Lines, Inc. for certificate of public convenience  
Copies were sent to: Council Secretary; Captain Lis, Police Department; Cheektowaga Traffic Safety Commission.  
This item was Received and Filed.

Item No. 54 March of Dimes - letter regarding Bike-A-Thon  
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain Lis, Police Department; Captain Kohl, Police Department.  
This item was Received and Filed.

Item No. 55 Petition regarding position of working foreman in the Sanitation Department  
This item was Received and Filed.

Item No. 56 Petition from residents of Eggert Road regarding curbing and repaving  
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Alfred Wnek, Highway Superintendent; Chester Bryan, Town Engineer.  
This item was Received and Filed.

Item No. 57 NOTICE OF CLAIM - Charles Vitale vs Town of Cheektowaga  
Copies were sent to: Kenneth J. Meyers, Supervisor; John V. Rogowski, Town Attorney; E.T. Clauss - Insurance Company; Alfred Wnek, Highway Superintendent.  
This item was Received and Filed.

VI. FROM THE TABLE

Item No. 58 Facilities - Award of bid for portable chemical toilets  
This item was withdrawn.

Item No. 59 Appointment to position of Working Foreman in Sanitation  
Motion by Councilman Burst, seconded by Councilman Rogowski to table the resolution for "Appointment to position of Working Foreman in Sanitation".

Upon Roll Call....

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

Item No. 60 Designation of official newspaper of the Town of Cheektowaga  
Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Section 24, paragraph 11 of the Town Law empowers the Town Board to designate as the official paper of the Town any newspaper regularly published in the Town if such newspaper has been entered as Second Class Mail material, and

WHEREAS, it appears that the CHEEKTOWAGA TIMES, published on a regular weekly basis in the Town of Cheektowaga has the largest circulation of any weekly newspaper published in Cheektowaga, and

WHEREAS, the main offices of said newspaper are located in the Town, NOW, THEREFORE, BE IT

RESOLVED that the CHEEKTOWAGA TIMES, located at 343 Maryvale Drive be and hereby is designated as the official paper of the Town of Cheektowaga.

Upon Roll Call....

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

VII. SUSPENSION OF RULES

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

Upon Roll Call....

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

Item No. 61 Authorization for Town Engineer to secure services of Merriman Conservation Consultants regarding erosion control problems.

Motion by Councilman Johnson, seconded by Councilman Burst

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

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

RESOLVED that the Town Engineer is hereby authorized to secure the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052, as needed at the rate of twenty-four dollars (\$24.00) per hour for the services of a Conservation Consultant, said rate to apply for the calendar year of 1980, and BE IT FURTHER

RESOLVED that payment for said services shall be made only where authorized by the Town Engineer in writing to said consultant and that services are charged to the General Fund, Erosion Control Budget.

Upon Roll Call....

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

Item No. 62 Motion by Councilman Burst, seconded by Councilman Johnson to adjourn the meeting.

MARY F. HOLTZ  
Deputy Town Clerk

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of March, 1980 at 7:00 o'clock P.M., Eastern Standard Time, there were:

- PRESENT: Councilman Thomas M. Johnson, Jr.
- Councilman Frank J. Dux
- Councilman James R. Burst
- Councilman Donald J. Wegner
- Councilman William P. Rogowski
  
- ABSENT: Supervisor Kenneth J. Meyers
- Councilman Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; George Burst, Auto Mechanic Foreman; Theodore DeFedericis, Chief of Police; Henry Gabryszak, Town Justice; Mary Holtz, First Deputy Town Clerk; Jim Kirisits, Deputy Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Ed Leak, Recreation Director; Ronald Marten, Building and Plumbing Inspector; Julia Reinstein, Town Historian; John V. Rogowski, Town Attorney; Andrew Schwenk, Sole Assessor; Pat Staniaszek, Program Coordinator-Youth Bureau.

\* \* \* \* \*

Motion made by Councilman Burst, seconded by Councilman Johnson to appoint Councilman William P. Rogowski temporary Chairman for this Town Board Meeting, in the absence of Supervisor Kenneth J. Meyers.

Upon Roll Call....

- AYES: Councilmen Johnson, Dux, Burst and Rogowski
- NAYES: Councilman Wegner
- ABSENT: Supervisor Meyers and Councilman Swiatek

\* \* \* \* \*

Motion made by Councilman Wegner to adjourn this regular Town Board Meeting due to the short agenda and the absence of Supervisor Meyers and Councilman Swiatek.

Motion failed for lack of second.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Rogowski, seconded by Councilman Dux

BE IT RESOLVED that Donald W. Merritt of 68 Bernice Drive, Cheektowaga, New York, be and hereby is appointed Deputy Town Attorney at an annual salary of \$13,500.00, effective immediately.

Upon Roll Call....

- AYES: Councilman Johnson, Dux, Burst and Rogowski
- NAYES: Councilman Wegner
- ABSENT: Supervisor Meyers and Councilman Swiatek

Item No. 3 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, two (2) positions of "Engineering Aide" have previously been created in the Engineering Department, and

Item No. 3 Cont'd.

WHEREAS, as the result of an open competitive examination held by the Erie County Department of Personnel on October 20, 1979, the Town has received the Civil Service List of Eligibles for the selection of candidates to fill these positions, NOW, THEREFORE, BE IT

RESOLVED that the following named individuals, selected from the above mentioned Civil Service List, be and hereby are appointed to the permanent position of Engineering Aide, at an annual salary in accordance with the current bargaining agreement in effect between the Town of Cheektowaga and the Cheektowaga Employees Association:

Alan B. Blachowski

Cheektowaga, New York 14225  
Starting Date: March 4, 1980

Hank A. Borkowski

Cheektowaga, New York 14225  
Starting Date: March 10, 1980

Upon Roll Call....

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

Item No. 4 Motion by Councilman Burst, seconded by Councilman Dux

RESOLVED that the salaries of the following Town Officials and employees who are not covered in any bargaining unit, be and hereby are established and set forth as follows; said salary increases shall be retroactive to January 1, 1980:

Town Justice Henry Gabryszak	\$22,000.00
Town Justice Dennis Repka	\$21,600.00
Deputy Town Clerk	\$14,000.00
Second Deputy Town Clerk	\$13,500.00
Council Secretary	\$13,500.00
Bingo Inspectors	\$ 3,500.00
Bingo Inspector Chairman	\$ 3,700.00
Planning Commission	\$ 1,600.00
Planning Commission Chairman	\$ 2,500.00
Planning Commission Secretary	\$ 2,100.00
Zoning Board	\$ 1,900.00
Zoning Board Chairman	\$ 2,800.00
Clerical Help (Daily Rate)	\$ 23.50
Recreation Attendants, Part-time	\$ 4,860.00
Program Coordinator (Youth Bureau)	\$13,000.00
Deputy Town Attorney	\$13,500.00

Upon Roll Call....

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

Item No. 5 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga is desirous of establishing a Housing Rehabilitation Loan/Grant Program under the Community Development Block Grant Program, and

WHEREAS, funds for such a program have been appropriated in the amount of \$100,000 in the Town's 1979 Community Development Block Grant application, and said application has been approved by the U.S. Department of Housing and Urban Development, and

Item No. 5 Cont'd.

WHEREAS, the Town has secured proposals from area financial institutions for their participation in said loan/grant program, and

WHEREAS, M & T Bank - Manufacturers and Traders Trust Company has submitted a proposal for participation with the most favorable interest rate for said loan/grant program, and

WHEREAS, the intent of the Housing Rehabilitation Loan/Grant program is to provide low-interest loans and grants to income-eligible property owners in the Town's four designated "Neighborhood Improvement Areas" for housing rehabilitation and correction of Town Housing Code violations, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to enter into agreement with M & T Bank - Manufacturers and Traders Trust Company for their participation in the Town of Cheektowaga's Housing Rehabilitation Loan/Grant Program, and BE IT

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

Upon Roll Call....

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

Item No. 6 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, Ralph K. Wissing has applied for a rezoning from R-Residential District to CM-General Commercial District on property located at 3443 Genesee Street, 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. 17, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING in the southeast corner of Lot No. 5, as the same is designated on a map filed in the Erie County Clerk's Office under Cover No. 1055, running thence northerly along the east line of said Subdivision Lot No. 5, 340.24 feet to a point in said line distant 226.93 feet south from the southerly line of Genesee Street, measured along the easterly line of said Subdivision Lot No. 5, thence westerly and parallel with said south line of Subdivision Lot No. 5, 83.60 feet to the westerly line of said Subdivision Lot No. 5 at a point 206.81 feet southerly from the south line of Genesee Street, measured along said west line of said Subdivision Lot No. 5, thence southerly along west line of Lot No. 5, 340.24 feet to the southwest corner of said Subdivision Lot No. 5 thence easterly along the said northerly line of Subdivision Lot No. 5, 83.60 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 17th day of December, 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 Town Planning Board has reviewed said application and has presented no objection thereto provided that the Petitioner submit a Development Plan as required by Section 10-10 of the Zoning Ordinance, and provided further that

(A) Petitioner agrees that there will be no outside storage.



Item No. 6 Cont'd.

- (B) Any further enlargement of any of the structures after the presently proposed demolition and rebuilding of the wooden structure to the rear of this property would be subject to the approval of the Town Board.

and

WHEREAS, said Development Plan has been duly submitted to the Town and said Development Plan and application fulfills the requirements of the Town Planning Board, now, therefore, BE IT

RESOLVED, that the said rezoning is granted subject to the owner complying with the requirements set forth in the Development Plan and subject further to the owner complying with the conditions (A) and (B) outlined above, and BE IT FURTHER

RESOLVED, that the above described premises are rezoned from R-Residential District to CM-General Commercial District, and BE IT FURTHER

RESOLVED, that the Zoning Map in the Town Clerk's Office be changed accordingly.

Upon Roll Call....

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

AFFIDAVIT-NEXT PAGE

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

*Gladys M. Sechter*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Club* ..... 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..... *March 6, 1980* ..... ;  
last publication..... *March 6, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechter*

Sworn to before me this ..... *7<sup>th</sup>* .....

day of ..... *March* ....., 19*80* .....

*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

### EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 3rd day of March 1980 at 7:00 o'clock p.m. Eastern Standard Time there were:

#### PRESENT:

##### Councilmen:

Thomas M. Johnson Jr.  
Frank J. Dux  
James R. Burst  
Donald J. Wegner  
William P. Rogowski

#### ABSENT:

Supervisor Kenneth J. Meyers  
Councilman Frank E. Swiatek

Motion by Councilman Wegner,  
Seconded by Councilman Johnson

WHEREAS, Ralph K. Wissing has applied for a rezoning from R-Residential District to CM-General Commercial District on property located at 3443 Genesee Street, 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. 17, Township 11, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING in the southeast corner of Lot No. 5, as the same is designated on a map filed in the Erie County Clerk's Office under Cover No. 1055, running thence northerly along the east line of said Subdivision Lot No. 5, 340.24 feet to a point in said line distant 226.93 feet south from the southerly line of Genesee Street, measured along the easterly line of said Subdivision Lot No. 5, thence westerly and parallel with said south line of Subdivision Lot No. 5 83.60 feet to the westerly line of said Subdivision Lot No. 5 at a point 206.81 feet southerly from the south line of Genesee Street, measured along said west line of said Subdivision Lot No. 5, thence southerly along west line of Lot No. 5 340.24 feet to the southwest corner of said Subdivision Lot No. 5 thence

easterly along the said northerly line of Subdivision Lot No. 5, 83.60 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 17th day of December, 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 Town Planning Board has reviewed said application and has presented no objection thereto provided that the Petitioner submit a Development Plan as required by Section 10-10 of the Zoning Ordinance, and provided further that:

(A) Petitioner agrees that there will be no outside storage.

(B) Any further enlargement of any of the structures after the presently proposed demolition and rebuilding of the wooden structure to the rear of this property would be subject to the approval of the Town Board,

and  
WHEREAS, said Development Plan has been duly submitted to the Town and said Development Plan and application fulfills the requirements of the Town Planning Board, now, therefore, BE IT

RESOLVED, that the said rezoning is granted subject to the owner complying with the requirements set forth in the Development Plan and subject further to the owner complying with the conditions (A) and (B) outlined above, and BE IT FURTHER

RESOLVED, that the above described premises are rezoned from R-Residential District to CM-General Commercial District, and BE IT FURTHER

RESOLVED, that the Zoning Map in the Town Clerk's Office be changed accordingly.  
Upon roll call...

#### Supervisor

Meyers

Voting ABSENT

#### Councilmen:

Swiatek

Voting ABSENT

Johnson

Voting AYE

Dux

Voting AYE

Rogowski

Voting AYE

Burst

Voting AYE

Wegner

Voting AYE

AYES: 5

NAYES: 0

ABSENT: 2

STATE OF NEW YORK )

COUNTY OF ERIE )

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

1. A regular meeting of the Town Board of the Town Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 3, 1980, 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. 6, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 3rd day of March, 1980.

RICHARD M. MOLESKI

Town Clerk

Item No. 7      Decision on Rezoning - 3507 Union Road.  
Item Withdrawn.

Item No. 8      Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of the Walden Avenue Storm Sewer Project - Phase I, which bids were duly received and opened at the regular Town Board Meeting of February 25, 1980, AND

WHEREAS, said bids were referred to the Consulting Firm of Nussbaumer & Clarke, Inc. and the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated February 28, 1980, AND

WHEREAS, said report recommended that the bid be awarded to Northern States Contracting Company, Inc., 3020 Clinton Street, West Seneca, New York 14224 for the bid price of \$208,579.00, said being the lowest bid meeting the requirements of the specifications, AND

WHEREAS, necessary easements have been obtained and approvals received from other agencies, NOW, THEREFORE, BE IT

RESOLVED, that the contractor for the construction of the Walden Avenue Storm Sewer Project - Phase I be and hereby is awarded to Northern States Contracting Company, Inc. for their submission of the bid of \$208,579.00, said bid being the lowest meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that said bid awarded to Northern States Contracting Company, Inc. is contingent upon the Town of Cheektowaga concluding its agreement with the property owners for the acquisition of easements necessary for the construction of said Walden Avenue Storm Sewer Project - Phase I, AND, BE IT FURTHER

RESOLVED, that the Supervisor on behalf of this Town Board sign the agreement with said contractor for said Walden Avenue Storm Sewer Project - Phase I.

-----  
This resolution, filed on February 28, 1980, was amended on the motion of Councilman Johnson, seconded by Councilman Rogowski and the vote on the amendment was as follows:

Upon Roll Call....

AYES:              Councilmen Johnson, Dux, Burst, Wegner and Rogowski

NAYES:             0

ABSENT:            Supervisor Meyers and Councilman Swiatek

-----  
See amended resolution below:

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the construction of the Walden Avenue Storm Sewer Project - Phase I, which bids were duly received and opened at the regular Town Board Meeting of February 25, 1980, and

WHEREAS, said bids were referred to the Consulting Firm of Nussbaumer & Clarke, Inc., and the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated February 28, 1980, and

WHEREAS, said report recommended that the bid be awarded to Northern States Contracting Company, Inc., 3020 Clinton Street, West Seneca,

Item No. 8 Cont'd.

New York 14224, for the bid price of \$208,579.00, said being the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the construction of the Walden Avenue Storm Sewer Project - Phase I be and hereby is awarded to Northern States Contracting Company, Inc. for their submission of the bid of \$208,579.00, said bid being the lowest meeting the requirements of the specifications, and, BE IT FURTHER

RESOLVED, that said bid awarded to Northern States Contracting Company, Inc., is contingent upon the Town of Cheektowaga concluding its agreement with the property owners for the acquisition of easements necessary for the construction of said Walden Avenue Storm Sewer Project - Phase I, and, BE IT FURTHER

RESOLVED, that bid award is contingent upon the approval of the bid by the U.S. Department of Housing and Urban Development, and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, sign the agreement with said contractor for said Walden Avenue Storm Sewer Project - Phase I.

\*See next page for copy of bid tabulation.



## Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.  
TOWN ENGINEER  
/16-686-3448

February 28, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

Gentlemen:

At the Regular Town Board Meeting of February 25, 1980 bids were received and opened for the first phase of the Walden Avenue Storm Sewer Project. Seventeen (17) bids were received ranging in price from \$208,579 to \$373,940. The engineering estimate for this first phase of work was \$344,800. The lowest five (5) bidders are as follows:

Northern States Contracting Co., Inc.	\$208,579.00
Losson Excavating and Trucking	\$212,765.80
Copece Contracting Corporation	\$267,525.12
Hallock & Migliore Construction, Inc.	\$267,757.39
Firsthyme Construction, Inc.	\$272,866.00

The Consulting Engineers, Nussbaumer & Clarke, Inc. reviewed all bids. It is the recommendation of the consultants and ourselves that the bid be awarded to Northern States Contracting Company, Inc., 3020 Clinton Street, West Seneca, New York 14224 for their submission of the lowest bid meeting the requirements of the specifications.

Before the bid is awarded, it is necessary that the following matters be taken care of:

- 1) Title obtained to all easements
- 2) Approval from Conrail to discharge 5 cfs into the railroad ditch.
- 3) Approval for construction in the City of Buffalo and discharge of waters into their system.
- 4) Approval of the Erie County Community Development Block Grant Program for award of this contract.

Very truly yours,

TOWN OF CHEEKTOWAGA

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

CLB:dmr

Item No. 8 Cont'd.

Upon Roll Call....

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

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

WHEREAS, bids were duly received by this Town Board at a meeting held on February 25, 1980 for the moving of election machines to and from various locations in the Town for the year of 1980 as a result of advertisement, AND

WHEREAS, such bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is attached hereto and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the moving of election machines to and from various locations in the Town be awarded to P.J. Garvey Carting and Storage, Inc., 465 Cornwall Avenue, Buffalo, New York 14215, for their submission of the lowest bid of \$4,905.00 meeting the requirements of the specifications.

\*See next page for report.



## Town of Cheektowaga

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

CHESTER L. BRYAN, P.E.  
TOWN ENGINEER  
~~716-688-8888~~  
686-3449

February 28, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Bid for Moving  
Election Machines

Gentlemen:

At the Regular Town Board Meeting of February 25, 1980 bids were received and publicly opened for moving election machines to and from various locations in the Town of Cheektowaga. One (1) bid was received as follows:

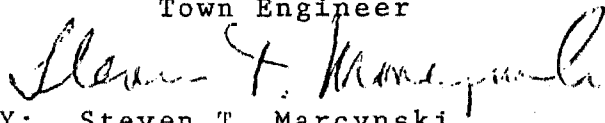
<u>BIDDER</u>	<u>BID PRICE</u>
P.J. Garvey Carting and Storage, Inc.	\$4,905.00

It is, therefore, recommended that the bid be awarded to P.J. Garvey Carting and Storage, Inc., 465 Cornwall Avenue, Buffalo, New York 14215 for submitting the only bid of \$4,905.00 meeting the requirements of the specifications. This bid is an increase of twelve percent (12%) over last years price by the same bidder.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

  
BY: Steven T. Marcynski  
Sr. Engineer Assistant



Item No. 9 Cont'd.

Upon Roll Call....

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

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

WHEREAS, field measurement of quantities required in the contract of the Victoria/Alexander Sanitary Siphon Replacement Project with the Amadori Construction Company Inc. were greater than noted in the specification and bid, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 2 for the construction work in the amount of \$1,079.00 in addition to the contract be approved. A description of the changes as an addition to the contract cost are described in a letter dated February 28, 1980 from the Town Engineer and considered part of said resolution, and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to sign said Change Order for the Amadori Construction Company, Inc. contract 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  
716-686-3448

February 28, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Change Order No. 2  
Victoria/Alexander  
Sanitary Siphon Replacement

Gentlemen:

The engineering firm of Nussbaumer & Clarke, Inc. has submitted one (1) Change Order on the above project and recommend its approval.

Change Order No. 2 - Add \$1,079.00

This change was required due to actual field measurement of bid items 1, 2C and 4 which were greater than estimated in order to correct an alignment condition and obtain the proper grade to insure adequate flow. A full explanation and cost breakdown of the items is on file in the Engineering Department.

Attached is a resolution requesting your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

*Steven T. Marcynski*  
BY: Steven T. Marcynski  
Sr. Engineer Assistant

CLB:STM:dmr

Item No. 10 Cont'd.

Upon Roll Call....

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

Item No. 11 Engineering - Advertise for bids for rehabilitation of comfort station at Losson Road Park.  
Item Withdrawn.

Item No. 12 Motion by Councilman Burst, 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 road materials, such as stone, asphalt, winter mix, road oil, plant mixed concrete, etc. for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the Office of the Superintendent of Highways located at 3145 Union Road, Cheektowaga, New York; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m., March 17, 1980 for the purpose of opening and reading the sealed bids.

\* \* \* \* \*

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at the Town Board meeting of March 17th, 1980 at 7:00 P.M. Seasonal requirements as follows:

- STONE -- various sizes
- ASPHALT -- plant mix, blacktop - various sizes
- WINTER MIX -- plant mixed all weather stockpile  
patching material - various sizes
- ROAD OIL -- liquid and tar penetration and surface  
treating - various sizes
- PLANT MIXED
- CONCRETE -- various sizes, bulk and bagged
- TOPSOIL -- regular and shredded
- CONCRETE BLOCKS, CEMENT, MORTAR, GRAVEL AND GRIT

Pick up by the Town Highway trucks within a 15 mile distance.

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. Proposals must be enclosed and sealed in opaque envelopes plainly marked "SEALED BID FOR SEASONAL ROAD MATERIALS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT". Non-collusion forms must be signed and submitted with bids. The Superintendent of Highways may reject any or all bids submitted.

SIGNED \_\_\_\_\_  
RICHARD M. MOLESKI  
TOWN CLERK

DATED: February 26, 1980  
PUBLISHED: March 6, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT-NEXT PAGE

No. 6

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

*Gladys M. Sechter*, 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.....*March 6, 1980*.....;  
last publication.....*March 6, 1980*.....;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechter*

Sworn to before me this .....*7th*.....

day of .....*March*....., 19.....*80*.....

.....*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 TO BIDDERS**

NOTICE IS HEREBY GIVEN, in compliance with Section 103 of the General Municipal Finance Law, that the Town of Cheektowaga will receive proposals for seasonal requirements at the Town Board meeting of March 17th, 1980 at 7:00 P.M. Seasonal requirements as follows:

STONE — various sizes

ASPHALT — plant mix, black-top - various sizes

WINTER MIX — plant mixed all weather stockpile patching material - various sizes

ROAD OIL — liquid and tar penetration and surface treating - various sizes

PLANT MIXED CONCRETE — various sizes, bulk and bagged

TOPSOIL — regular and shredded

CONCRETE BLOCKS, CEMENT, MORTAR, GRAVEL AND GRIT

Pick up by the Town Highway trucks within a 15 mile distance.

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. Proposals must be enclosed and sealed in opaque envelopes plainly marked "SEALED BID FOR SEASONAL ROAD MATERIALS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT". Non-collusion forms must be signed and submitted with bids. The Superintendent of Highways may reject any or all bids submitted.

**RICHARD M. MOLESKI**  
Town Clerk

DATED: February 26, 1980  
PUBLISHED: March 6, 1980

II. DEPARTMENTAL COMMUNICATIONS

- Item No. 13 Building Permits.  
Received and filed.
- Item No. 14 Supervisor's Statement of Funds - December, 1979.  
Received and filed.

III. GENERAL COMMUNICATIONS

- Item No. 15 Notice of Claim - Frank & Gertrude Kopacz vs. County of Erie, Town of Cheektowaga and Village of Depew.  
Item referred to Supervisor Kenneth J. Meyers, Town Attorney, Highway Superintendent and Town Insurance Company; received and filed.
- Item No. 16 Board of Fire Commissioners, Hy-View Fire District No. 8 - Request Town Board action re: Replacement of fire hydrant at 173 Hyland.  
Item referred to Supervisor Kenneth J. Meyers, Town Board Members and Town Engineer; received and filed.
- Item No. 17a M. Schlifke, Attendance Clerk, Cheektowaga Central High School - Request Town Board action re: Installation of left-turn signal at Cheektowaga Central driveway entrance on Union Road.  
Item referred to Town Board Members, Captain Robert Lis, Highway Superintendent and Cheektowaga Traffic Safety Commission; received and filed.
- Item No. 17b B. MacGregor, Business Teacher, Cheektowaga Central High School - Request Town Board action re: Installation of left-turn signal at Cheektowaga Central driveway entrance on Union Road.  
Item referred to Town Board Members, Captain Robert Lis, Highway Superintendent and Cheektowaga Traffic Safety Commission; received and filed.

IV. FROM THE TABLE

- Item No. 18 Appointment of Town Attorney.  
  
Motion by Councilman Burst, seconded by Councilman Johnson  
  
WHEREAS, a vacancy exists in the position of Town Attorney, NOW,  
THEREFORE, BE IT  
  
RESOLVED that James Kirisits, of Cheektowaga,  
New York be and hereby is appointed Town Attorney, effective immediately, at an  
annual salary of \$25,000.00.

Upon Roll Call....

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

- Item No. 19 Appointment to position of Working Foreman in the Sanitation Dept.  
  
Motion by Councilman Burst, seconded by Councilman Johnson to  
table this item.

Item No. 20      Creation of Department of Senior Services.

Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga currently sponsors Senior Citizen programs through the Recreation Department for the benefit of its elderly residents, AND

WHEREAS, the scope of services and programming provided by the Town has greatly increased during the course of the last several years, AND

WHEREAS, the Town is desirous of maintaining and improving the quality of its Senior Citizen services and programs and meeting the needs of its elderly residents, AND

WHEREAS, this can best be accomplished by the creation of a Town Senior Citizens Department, NOW, THEREFORE, BE IT

RESOLVED that a Department of Senior Services be and hereby is created, and BE IT FURTHER

RESOLVED that said Department of Senior Services be responsible for all programs, services, and activities specifically operated for the benefit of the Town's elderly residents.

Upon Roll Call....

- AYES:            Councilmen Johnson, Dux, Burst and Rogowski
- NAYES:         Councilman Wegner
- ABSENT:        Supervisor Meyers and Councilman Swiatek

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

RESOLVED that the salaries of the following Town officials and employees who are not covered in any bargaining unit, be and hereby are established and set forth as follows; said salary increases shall be retroactive to January 1, 1980:

Town Justices (2)	\$22,000.00
Program Coordinator (Youth Bureau)	\$14,390.00
Deputy Town Clerk	\$15,120.00
Second Deputy Town Clerk	\$13,235.00
Sr. Recreation Supervisor	\$13,260.00
Council Secretary	\$13,500.00
Director of Recreation	\$19,605.00
Supt. of Buildings and Grounds	\$19,930.00
Bingo Inspectors	\$ 3,695.00
"    Chairman	\$ 3,825.00
Planning Board Members	\$ 1,620.00
Chairman	\$ 2,595.00
Secretary	\$ 2,160.00
Zoning Board Members	\$ 1,945.00
Chairman	\$ 2,920.00
Clerical Help (Daily Rate)	\$ 24.00
Recreation Attendants PT (3)	\$ 4,860.00
Special Prosecutor Town Attorney	\$14,390.00

Upon Roll Call....

- AYES:            Councilman Wegner
- NAYES:         Councilmen Johnson, Dux, Burst and Rogowski
- ABSENT:        Supervisor Meyers and Councilman Swiatek

RESOLUTION DENIED!

\* \* \* \* \*

Motion by Councilman Burst, seconded by Councilman Dux to waive the rules to include Item Nos. 22 through 27.

Upon Roll Call....

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

\* \* \* \* \*

V. WAIVER OF RULES

Item No. 22 Abolishment of positions in the Facilities Department.

Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga and the Cheektowaga Employees Association has, through Collective Bargaining, agreed to abolish certain job classifications in the Facilities Department, AND

WHEREAS, the job classifications to be abolished are as follows:

- Motor Equipment Operator "B"
- Caretaker (s)
- Laborer-Utility Men

and

WHEREAS, said positions abolished, only apply to the Facilities Department and in no way affect any other Town Department, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board approves the abolishment of said positions in the Facilities Department.

Upon Roll Call....

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

Item No. 23 Create eleven (11) positions of "General Mechanic" in the Facilities Department.

Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, the Cheektowaga Town Board and the Cheektowaga Employees' Association has previously agreed to abolish positions in the Facilities Department, AND

WHEREAS, through the collective bargaining process, an agreement was resolved to create new positions in the Facilities Department, AND

WHEREAS, the necessary "P.O. 17" forms required to create a position have been filed with Erie County Personnel Department, AND

WHEREAS, the Erie County Personnel Department has studied the functions, duties and responsibilities of the position and notified the Town of the proper title, NOW, THEREFORE, BE IT

RESOLVED that eleven (11) positions titled "General Mechanic", be and hereby are created in the Cheektowaga Facilities Department, and BE IT FURTHER

RESOLVED, that said position be posted in accordance with Article 18, Section 18.01, "Promotions" of the Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association prior to the naming of appointments to said positions.

Upon Roll Call....

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



Item No. 24 Appointments to positions of "General Mechanic" in the Facilities Department.

Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, the Cheektowaga Town Board, through prior resolution, created eleven (11) positions, titled "General Mechanic" in the Facilities Department, AND

WHEREAS, the Facilities Department has existing vacancies in the title of "General Mechanic" created through attrition and Departmental bidding and transferring, AND

WHEREAS, said positions of "General Mechanic" were duly posted in compliance with Article 18, Section 18.01 of the agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves the appointments of the following individuals to the positions of "General Mechanic" in the Facilities Department:

- |                       |                       |
|-----------------------|-----------------------|
| David Klager          | James Demblewski      |
| Cheektowaga, NY 14225 | Depew, NY 14043       |
| Edward Wozniak        | Richard Gerlach       |
| Cheektowaga, NY 14225 | Cheektowaga, NY 14227 |
| Edward Witek          | Albert Bakowski       |
| Cheektowaga, NY 14211 | Sloan, NY 14206       |
| Adolph Rackowski      | Richard Brezowski     |
| Cheektowaga, NY 14206 | Cheektowaga, NY 14211 |
| Stanley Zastempowski  | Robert Sosnowski      |
| Cheektowaga, NY 14215 | Cheektowaga, NY 14225 |
| George Dyqula         | Stanley Hince         |
| Cheektowaga, NY 14225 | Cheektowaga, NY 14206 |
| William Gomolski      | Edward Kowal          |
| Cheektowaga, NY 14227 | Cheektowaga, NY 14206 |

Upon Roll Call....

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

Item No. 25 Create two (2) positions of "Maintenance Man" in the Facilities Department.

Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, the Cheektowaga Town Board and the Cheektowaga Employees' Association has previously agreed to abolish positions in the Facilities Department, AND

WHEREAS, through the collective bargaining process, an agreement was resolved to create new positions in the Facilities Department, AND

WHEREAS, the necessary "P.O. 17" forms required to create a position have been filed with the Erie County Personnel Department, AND

WHEREAS, the Erie County Personnel Department has studied the

Item No. 25 Cont'd.

functions, duties and responsibilities of the position and notified the Town of the proper title, NOW, THEREFORE, BE IT

RESOLVED, that two (2) positions, titled "Maintenance Man" be and hereby are created in the Cheektowaga Facilities Department, and BE IT FURTHER

RESOLVED, that said positions be posted in accordance with Article 18, Section 18.01, "Promotions" of the Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, prior to the naming of appointments to said positions.

Upon Roll Call....

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

Item No. 26 Appointments to positions of "Maintenance Man" in the Facilities Department.

Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Town Board, through prior resolution, created two (2) positions titled "Maintenance Man" in the Facilities Department, AND

WHEREAS, the Facilities Department has existing vacancies in the title of "Maintenance Man" created through departmental bidding and transferring, AND

WHEREAS, said positions of "Maintenance Man" were duly posted in compliance with Article 18, Section 18.01, "Promotions" of the agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves the appointments of the following individuals to the position of "Maintenance Man" in the Facilities Department:

Norbert Mazgajewski

Depew, New York 14043

Leonard Szymanski

Cheektowaga, New York 14227

David Wass

Depew, New York 14043

Upon Roll Call....

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

Item No. 27 Engineering - Award of bid for furnishing of equipment and operators for drainage projects.

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board, on February 25, 1980, received bids as the result of advertisement, therefore, for the furnishing of equipment and operators for drainage projects in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 29, 1980,

Item No. 27 Cont'd.

NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for drainage projects in the Town of Cheektowaga is awarded to Webber Trucking & Excavating Co., Buffalo Olean Road, Chaffee, New York 14030, for submission of the lowest bid meeting the requirements of the specifications as per the unit bid prices of:

ITEM 1	Hydraulic Backhoe	\$ 396.00 per 8 hr. day
ITEM 2	Tractor, loader	\$ 196.00 per 8 hr. day
ITEM 3	Dozer, crawler	\$ 260.00 per 8 hr. day
ITEM 4	Dozer, crawler	\$ 448.00 per 8 hr. day
ITEM 5	Dump Truck, tandem	\$ 204.00 per 8 hr. day
ITEM 6	Tractor, landscape type	\$ 46.40 per 8 hr. day
ITEM 7	Hydraulic Backhoe	\$ 212.00 per 8 hr. day

and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute the agreement with said Webber Trucking & Excavating Co., on behalf of the Town of Cheektowaga.

\*See next page for report.



## Town of Cheektowaga

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

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

February 29, 1980

TO THE SUPERVISOR AND  
HONORABLE TOWN BOARD MEMBERS  
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment and  
Operators for Drainage Projects

Gentlemen:

Bids were received and opened at the February 25, 1980 Town Board Meeting for the furnishing of equipment and operators for drainage projects. There were five (5) bids submitted and, their totals are as follows:

Webber Trucking & Excavating Co.	\$ 249,984.00
Custom Topsoil, Inc.	\$ 299,450.00
West Falls Construction	\$ 305,680.00
Wm. W. Kimmins & Sons, Inc.	\$ 378,024.00
C.M.H. Company, Inc.	\$ 390,900.00

The bid totals were received in order to provide a basis for bid award. Based on these totals it is recommended that the bid be awarded to Webber Trucking & Excavating Co., Buffalo Olean Road, Chaffee, New York 14030 for their submission of the lowest bid meeting the requirements of the specifications. The contract is being awarded on the following unit prices that were bid in the specifications,

ITEM 1 Hydraulic Backhoe	\$ 396.00 per 8 hr day
ITEM 2 Tractor, loader	\$ 196.00 per 8 hr day
ITEM 3 Dozer, crawler	\$ 260.00 per 8 hr day
ITEM 4 Dozer, crawler	\$ 448.00 per 8 hr day
ITEM 5 Dump Truck, tandem	\$ 204.00 per 8 hr day
ITEM 6 Tractor, landscape type	\$ 46.40 per 8 hr day
ITEM 7 Hydraulic Backhoe	\$ 212.00 per 8 hr day

Yours truly,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.  
Town Engineer

CLB:EL:mjh

By   
Edward Lepczyk, Sr. Engineer Assistant

Item No. 27 Cont'd.

Upon Roll Call....

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

Item No. 28 Motion by Councilman Johnson, 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 17th day of March, 1980 at 7:00 o'clock P.M., Eastern Standard Time, there were:

PRESENT:       Supervsiro Kenneth J. Meyers  
                  Councilman Frank E. Swiatek  
                  Councilman Thomas M. Johnson  
                  Councilman Frank J. Dux  
                  Councilman James R. Burst  
                  Councilman Donald J. Wegner  
                  Councilman William P. Rogowski

ABSENT:         0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Julia Reinstein, Town Historian; Ed Leak, Recreation Director; Dr. Louis Vendetti, Health Officer; Theodore DeFedericis, Chief of Police; Chester Bryan, Town Engineer; Mary Holtz, Deputy Town Clerk; Sal LaGreca, Assistant Manpower Program Director I; Florian Majchrzycki, Acting Assistant Foreman in the Sanitation Department; Don Merritt, Deputy Town Attorney; Captain Smolarek; Ron Marten, Building and Plumbing Inspector.

I. BIDS

Item No. 2       Seasonal requirements for Road Materials  
                  These bids were referred to Alfred Wnek, Highway Superintendent

Item No. 3       New trees for spring planting  
                  These bids were referred to Alfred Wnek, Highway Superintendent

Item No. 4       Fencing for 1980  
                  These bids were referred to Jim Matecki, Facilities Department

Item No. 5       Sand-Clay-Loam and Topsoil for 1980  
                  These bids were referred to Jim Matecki, Facilities Department

Item No. 6       Point Blank, Model 15, Armored Vests for the Police Department  
                  These bids were referred to Theodore DeFedericis, Chief of Police

Item No. 7       Furnishing of tools, equipment, etc. for Oehman Blvd. Extension,  
                  Cedargrove Culvert Project  
                  These bids were referred to Chester Bryan, Town Engineer

II. PUBLIC HEARING

Item No. 8       This being the time and place advertised for a public hearing to consider the advisability of adopting "OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC LANDS AND PRIVATE PARKING AREAS ORDINANCE", 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 ordinance being as follows:

\* See next two (2) pages

No. 6

OPEN CONTAINERS OF ALCOHOLIC BEVERAGES

ON PUBLIC LANDS AND PRIVATE PARKING AREAS

Section I - Legislative Intent

It is the intent of the Town of Cheektowaga, as an exercise of its police power, to promote the general health, safety and welfare of the Town of Cheektowaga by enacting this ordinance. It is the finding of the Town Board that the possession of open containers of alcoholic beverages by persons on public lands and private parking areas, except under controlled conditions and except in the Town Park, Losson Road Park, and Rehm Road Park, is detrimental to the health, safety and welfare of the residents of the Town of Cheektowaga in that such possession contributes to the development of unsanitary conditions and the creation of nuisances. Therefore, it is in the public interest to enact the following ordinance which shall apply within the Town of Cheektowaga outside the limits of the Villages of Depew and Sloan.

Section II - Definitions

For the purpose of this ordinance, the following terms shall have the meanings ascribed to them. All other words shall have the meanings normally ascribed to them in regular usage.

Alcoholic Beverage - includes alcohol, liquor, wine, beer, hard cider and every liquid patented or not, containing alcohol, wine or beer and capable of being consumed by a human being.

Container - any bottle, can, glass or other receptacle suitable for or used to hold any liquid.

Public Lands - any highway, street, sidewalk, playground, public parking lot or other public land.

Private Parking Areas - an area or areas of private property totaling at least one acre, near or contiguous to and provided in connection with premises having one or more stores or business establishments and used by the public as a means of access to and egress from such stores and business establishments and for the free parking of motor vehicles of customers and patrons of such stores and business establishments.

Section III - Possession on Public Lands and Private Parking Areas Prohibited

No person shall have in his possession any open container containing an alcoholic beverage on any public land or private parking areas as defined in Section II within the Town of Cheektowaga outside of the limits of the Villages of Depew and Sloan.

#### Section IV - Exceptions to Prohibition

The foregoing prohibition shall not apply in the event of a fair, picnic or other community gathering for which special permission has been granted by the Town Board of the Town of Cheektowaga where consumption of alcoholic beverages shall be permitted for those hours when such function is open to the public; nor is it applicable to persons picnicking at the Town Park, Losson Road Park, and Rehm Road Park, during regular park hours.

#### Section V - Penalty

Any person or persons, association or corporation committing an offense against this ordinance or any section or provision thereof is guilty of a violation punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not exceeding fifteen (15) days for each such offense, or by both such fine and imprisonment.

#### Section VI - Severability

Should any provision of this ordinance be judicially determined to be invalid, the remaining provisions shall continue in full force and effect.



Item No. 8 cont'd

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

III. RESOLUTIONS

Item No. 9 Change date of next Town Board Meeting  
This item was withdrawn.

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

BE IT RESOLVED that a Public Hearing on proposed amendments to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967, be held on the 7th day of April, 1980 at 7:00 P.M., Eastern Standard 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 TIMES on the 20th day of March, 1980; said amendments being set forth in the Notice of Hearing.

\* \* \* \* \*

N O T I C E O F H E A R I N G

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 7th day of April, 1980 at 7:00 o'clock P.M., Eastern Standard Time, to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CEDARGROVE CIRCLE	North-south	GLENWOOD COURT	Westbound	N.E. Corner

ARTICLE X

Parking, Standing, Stopping

Section 102. Parking prohibited in designated locations 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

CLEVELAND DRIVE	North side	from the west curb line of CENTURY ROAD to Buffalo City Line
-----------------	------------	--

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

RICHARD M. MOLESKI, Town Clerk

Item No. 10 cont'd

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sechtle*, 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 *March 20, 1980* ;  
last publication *March 20, 1980* ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechtle*

Sworn to before me this *21st*

day of *March*, 19*80*

*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 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 7th day of April, 1980 at 7:00 o'clock P.M., Eastern Standard Time, to consider the advisability of adopting amendments to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendments being as follows:

**ARTICLE VIII**

**Stop and Yield Intersections**

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

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

Street, CEDARGROVE CIRCLE; Direction, North-South; Entrance Street, GLENWOOD COURT; Traffic Stops, Westbound; Sign Location, N.E. Corner

**ARTICLE X**

**Parking, Standing and Stopping**

Section 102. Parking prohibited in designated locations 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

CLEVELAND DRIVE, North side, from the west curb line of CENTURY ROAD to Buffalo City Line.

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

RICHARD M. MOLESKI

Town Clerk

Item No. 11 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 4th day of February, 1980 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. Stop intersections designated shall be amended by adding the following:

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
CASTLEWOOD DRIVE	East-West	WEDGEWOOD DRIVE	Northbound	S.E. Corner

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 CHEEKTOWAGA TIMES, 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, Burst, Wegner, and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sedate*, 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..... *March 20, 1980* ..... ;  
last publication..... *March 20, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sedate*

Sworn to before me this ..... *21st* .....

day of ..... *March* ....., 19..... *80* .....

..... *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

#### EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of March, 1980, 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  
James R. Burst  
Donald J. Wegner  
William P. Rogowski

#### ABSENT: 0

Motion by Councilman Wegner  
Seconded by Supervisor Meyers

WHEREAS, this Town Board duly held a public hearing on the 4th day of February, 1980 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. Stop intersections designated shall be amended by adding the following:

The following intersection is designated as a stop intersection and a stop sign shall be erected on the following entrance street.

Street, **CASTLEWOOD DRIVE**;  
Direction, East-West; Entrance  
Street, **WEDGEWOOD DRIVE**;  
Traffic Stops, Northbound; Sign  
Location, S.E. Corner

#### 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 CHEEKTOWAGA TIMES, 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

Councilmen:

Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Burst	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County

of Erie, State of New York, was duly held on March 17, 1980, 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 17th day of March, 1980.

RICHARD M. MOLESKI  
Town Clerk

Item No. 12 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, this Town Board held a public hearing on the 25th day of February, 1980 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

Article X is amended by adding thereto the following:

Section 104. Parking in excess of twenty-four hours prohibited.

Parking is hereby prohibited on all Town Highways and County Roads in the Town of Cheektowaga for a period in excess of twenty-four (24) consecutive hours.

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 CHEEKTOWAGA TIMES 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, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE



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

*Gladys M. Sechster*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
.....*Chief*..... 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...*March 20, 1980*..... ;  
last publication...*March 20, 1980*..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechster*

Sworn to before me this .....*21st*.....

day of .....*March*....., 19*80*.....

.....*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*

**EXTRACTS FROM MINUTES OF  
CHEEKTOWAGA TOWN BOARD**

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of March, 1980 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  
James R. Burst  
Donald J. Wegner  
William P. Rogowski

**ABSENT: 0**

Motion by Councilman Wegner  
Seconded by Supervisor Meyers

WHEREAS, this Town Board held a public hearing on the 25th day of February, 1980 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**

Article X is amended by adding thereto the following:

Section 104. Parking in excess of twenty-four hours prohibited.

Parking is hereby prohibited on all Town Highways and County Roads in the Town of Cheektowaga for a period in excess of twenty-four (24) consecutive hours.

**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 CHEEKTOWAGA TIMES, 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

Councilmen:

Swiatek	Voting AYE
Johnson	Voting AYE
Dux	Voting AYE
Burst	Voting AYE
Wegner	Voting AYE
Rogowski	Voting AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK )  
COUNTY OF ERIE )

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on March 17, 1980, 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. 12, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17th day of March, 1980.

RICHARD M. MOLESKI  
Town Clerk

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

WHEREAS, National Pride Equipment, Inc. has made application and requested a special permit for property located on the Northwest corner of Union Road at William Street, said owner of property being Exxon Corporation, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 7, 1980 at 6:30 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, Burst, Wegner  
and Rogowski  
NAYES: 0  
ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

*Gladys 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 *March 20, 1980* ..... ;  
last publication *March 26, 1980* ..... ;  
and that no more than six days intervned be-  
tween publications.

*Gladys M. Sechter*

Sworn to before me this *21<sup>st</sup>* .....

day of *March*, 19*80* .....

*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

### 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 17th day of April 1980, at 6:30 o'clock P.M., Eastern Standard Time of said day for the purpose of considering the application of National Pride Equipment, Inc. for a Special Permit to operate a self-service car wash on property located at NW corner of Union Rd. at William Street pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York and being part of Lot 64, Township 10, Range 7 of the Holland Land Company's Survey (so-called) bounded and described as follows:

BEGINNING at a point on the northerly highway boundary of William Street (Eighme Road) (County Road No. 207) as acquired by the Erie County Department of Public Works in connection with the rebuilding of said William Street at its intersection with the easterly line of lands described in a deed to Iroquois Gas Corporation by deed recorded in the Erie County Clerk's Office in Liber 2077 of Deeds at page 543; said point of beginning being also the northwesterly corner of Map No. 197-47R, Parcel 39, as shown on the said highway appropriations; running thence N 00 degrees 47' 47" E along the easterly line of the said Iroquois Gas Corporation lands, a distance of 85.19 feet to the northeast corner thereof; running thence N 89 degrees 12' 13" W along the northerly line of the Iroquois Gas Corporation lands, a distance of 25.0 feet to the northwest corner thereof; running thence N 00 degrees 47' 47" E parallel with the original centerline of Union Road, a distance of 228.55 feet to a point; said point being the southwesterly corner of the land described in a deed to Matthew and Irene Korpanty by deed recorded in the Erie County Clerk's Office in Liber 7938 of Deeds at page 229; running thence S 87 degrees 47' 55" E along the southerly line of the said

KORPANTY LANDS and said line extended 239.99 feet to the northwest corner of lands conveyed to Humble Oil and Refining Co. by deed recorded in Liber 6270 of Deeds at page 535; thence S 00 degrees 47' 47" W along the west line of lands so conveyed to Humble Oil and Refining Co. by deed aforesaid 184.97 feet to the north line of lands appropriated by the State of New York for the widening of William Street and known as Map No. 88, Parcel No. 98; thence S 61 degrees 03' 49" W along the north line of lands shown under said Map No. 88, Parcel 88 a distance of 51.78 feet to the northwest corner thereof; running thence S 28 degrees 56' 11" E along the westerly line of the said Union Road, a distance of 11.0 feet to the southwest corner of said Map No. 88, Parcel No. 98; said point being on the original highway boundary of William Street; running thence S 61 degrees 03' 49" W along the northerly highway boundary of William Street, a distance of 141.54 feet to the southeasterly corner of Map No. 197-47R, Parcel No. 39 as referred to above; running thence N 30 degrees 08' 12" W along the easterly boundary of said William Street, a distance of 10.88 feet to the northeast corner of said Map No. 197-47R, Parcel No. 39; running thence S 61 degrees 03' 49" W along the northerly line of William Street, a distance of 54.02 feet to the point or place of beginning.

Being the same land as described in that certain Warranty Deed dated April 20, 1973, between IRENE KORPANTY, ET AL, Grantors, and EXXON CORPORATION, a New Jersey corporation, and recorded in Liber 8034, Page 205, of the Deed Records of Erie County, New York.

AND

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 64, Township 10, Range 7, B.C.I.R. Town of Cheektowaga, New York, bounded and described

as follows:

BEGINNING at the intersection of the westerly line of Union Road with the northerly line of William Street; thence westerly along the northerly line of William Street ninety-two and twelve one hundredths (92.12) feet; thence northerly at an interior angle of 60 degrees 18' 55" and parallel with the westerly line of Union Road one hundred ninety-five and sixty-six one hundredths (195.66) feet to the intersection of a line drawn westerly at right angles to the westerly line of Union Road from a point on said westerly line of Union Road distant one hundred fifty (150) feet northerly from the intersection of the westerly line of Union Road with the northerly line of William Street; thence easterly at right angles to the westerly line of Union Road eighty (80) feet to the westerly line of Union Road; thence southerly along the westerly line of Union Road one hundred fifty (150) feet to the place of beginning.

Being the same land as described in that certain Warranty Deed dated February 17, 1958, between MARY KILISZEWSKI, Grantor, and ESSO STANDARD OIL COMPANY, a Delaware corporation, Grantee, and recorded in Liber 6270, Page 535, of the Deed Records of Erie County, New York.

Esso Standard Oil Company, a Delaware corporation, merged into Humble Oil & Refining Company, a Delaware Corporation, on December 31, 1959. Humble Oil & Refining Company, a Delaware corporation, merged into Exxon Corporation, a New Jersey corporation, on January 1, 1973.

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

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

Frank E. Swiatek

Thomas M. Johnson, Jr.

Frank J. Dux

James R. Burst

Donald J. Wegner

William P. Rogowski

RICHARD M. MOLESKI

Town Clerk

No. 7

No. 8



Item No. 14 Motion by Councilman Wegner, seconded by Councilman Rogowski

WHEREAS, Paul M. Robshaw has applied for a rezoning from R-Residential District to RC-Restricted Business District on property located at 3507 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 Number 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed; thence southerly along the westerly line of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line of lands so conveyed 300 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 300 feet to the point or place of beginning.

EXCEPTING therefrom the following described premises:

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 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line so conveyed 200 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 200 feet to the point or 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 21st day of January, 1980 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 as to the following described premises only 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,

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 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed; thence southerly along the westerly line of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line of lands so conveyed 250 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 250 feet to the point or place of beginning.

EXCEPTING therefrom the following described premises:

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 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 4, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line so conveyed 200 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 200 feet to the point or place of beginning,

and BE IT FURTHER

RESOLVED that the above described premises be and hereby are rezoned from R-Residential District to RC-Restricted 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, Burst, Wegner and Rogowski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

*Gladys 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 ..... weeks:  
first publication..... *March 20, 1980* ..... ;  
last publication..... *March 20, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechter*.....

Sworn to before me this ..... *21st* .....

day of ..... *March*, 19*80*.....

..... *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

### EXTRACTS FROM MINUTES OF CHECKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 17th day of March 1960 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  
James R. Burst  
Donald J. Wegner  
William P. Rogowski.

#### ABSENT: 0

Motion by Councilman Wegner  
Seconded by Councilman Rogowski

WHEREAS, Paul M. Robshaw has applied for a rezoning from R-Residential District to RC-Restricted Business District on Property located at 3507 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 Number 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed; thence southerly along the westerly line of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line of lands so conveyed 300 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 300 feet to the point of beginning.

EXCEPTING therefrom the following described premises:

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 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line so conveyed 200 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 200 feet to the point or 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 21st day of January, 1960 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

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.

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 11, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed; thence southerly along the westerly line of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line of lands so conveyed 250 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 250 feet to the point or place of beginning.

EXCEPTING therefrom the following described premises:

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 11, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the

westerly line of lands conveyed to John M. Groell and Joseph J. Nazzarett by deed dated May 29, 1941 recorded in the Erie County Clerk's Office in Liber 3113 of Deeds at Page 327, on June 9, 1941 at a point distant 146 feet southerly from the northwest corner of lands so conveyed, 100 feet to a point; thence easterly parallel to the northerly line so conveyed 200 feet to a point; thence northerly parallel to the westerly line of lands so conveyed 100 feet to a point; thence westerly parallel to the northerly line of lands so conveyed, 200 feet to the point or place of beginning.

and, BE IT FURTHER

RESOLVED, that the above described premises be and hereby are rezoned from R-Residential District to RC-Restricted Business District, 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
Councilmen:		
Swiatek	Voting	AYE
Johnson	Voting	AYE
Dux	Voting	AYE
Burst	Voting	AYE
Wegner	Voting	AYE
Rogowski	Voting	AYE

AYES: 7

NAYES: 0

ABSENT: 0

STATE OF NEW YORK

COUNTY OF ERIE

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was

held on March 17, 1960, 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. 14, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 17th day of March, 1960.

RICHARD M. MOLESKI  
Town Clerk

Item No. 15 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for furnishing of Baseball Equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the Office of RICHARD M. MOLESKI, Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Eastern Standard Time, on April 7, 1980 for the purpose of properly opening and reading the sealed bids.

\* \* \* \* \*

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 7, 1980 at 7:00 P.M., at the Town Hall, Broadway and Union Road, for the furnishing of Baseball Equipment.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the Specifications and contract Documents and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town of Cheektowaga, 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 17, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sexton*, 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 ..... *March 20, 1980* ..... ;  
last publication ..... *March 20, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sexton*  
Sworn to before me this ..... *21st* .....  
day of ..... *March* ..... , 19..... *80* .....  
..... *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 on April 7, 1980 at 7:00 P.M. at the Town Hall, Broadway and Union Road, for the furnishing of Baseball equipment.

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

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the Specifications and contract Documents and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town of Cheektowaga, 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 17, 1980

WILSON & WILSON  
INCORPORATED  
ATTORNEYS AT LAW  
1000 WEST 10TH AVENUE  
DENVER, COLORADO 80202

Item No. 16 Notice to Bidders - Baseball equipment  
This item was withdrawn. See Item No. 15.

Item No. 17 Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, various Town of Cheektowaga Departments have submitted vehicle requests to the Equipment Management and Procurement Committee, and

WHEREAS, the Equipment Management and Procurement Committee has extensively reviewed each Department's request, and

WHEREAS, the Town of Cheektowaga Town Board has approved funds in the 1980 Budget for said equipment purchases, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby directs the Town Clerk to publish a Notice to Bidders in the CHEEKTOWAGA TIMES in connection with the following vehicles:

- Item #1 - Fourteen (14); full size sedan police vehicles, 1980 models
- Item #2 - One (1); full size police station wagon
- Item #3 - Two (2); 3/4 ton, pickup trucks, 1980 models
- Item #4 - One (1); 3/4 ton, pickup truck cab and chassis, w/animal transport body attached, 1980 model
- Item #5 - One (1); dump truck with ten (10) foot dump body
- Item #6 - One (1); twelve (12) foot step van w/aluminum body

and BE IT FURTHER

RESOLVED that the Town Board will meet on the 7th day of April, 1980 at 7:00 p.m., Eastern Standard Time for the purpose of receiving sealed bids at which time said bids shall 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 7, 1980 at 7:00 P.M., at the Town Hall, corner of Broadway and Union Roads for the furnishing of the following vehicles:

- Item #1 - Fourteen (14); full size sedan police vehicles, 1980 models
- Item #2 - One (1); full size police station wagon
- Item #3 - Two (2); 3/4 ton, pickup trucks, 1980 models
- Item #4 - One (1); 3/4 ton, pickup truck cab and chassis, w/animal transport body attached, 1980 model
- Item #5 - One (1); dump truck with ten (10) foot dump body
- Item #6 - One (1); twelve (12) foot step van w/aluminum body

Information for prospective bidders and specifications may be obtained from the Town Clerk at his office, located in the Cheektowaga Town Hall.

The Town Board reserves the right to award said bid proposals for Items #1, #2, #3, #4, #5, and #6 of the "Notice to Bidders", separately as applied to the best interest of the Town of Cheektowaga.

Item No. 17 cont'd

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

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

RICHARD M. MOLESKI  
Town Clerk

DATED: March 17, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Dechter*, 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 ..... *March 20, 1980* ..... ;  
last publication ..... *March 20, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Dechter*.....

Sworn to before me this ..... *21st* .....

day of ..... *March* ....., 19 *80* .....

..... *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 on April 7, 1980 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads for the furnishing of the following vehicles:

Item #1 — Fourteen (14); full size sedan police vehicles, 1980 models.

Item #2 — One (1); full size police station wagon.

Item #3 — Two (2); 3/4 ton, pickup truck, 1980 models.

Item #4 — One (1); 3/4 ton, pickup truck cab and chassis, w/animal transport body attached, 1980 model.

Item #5 — One (1); dump truck with ten (10) foot dump body.

Item #6 — One (1); twelve (12) foot step van w/aluminum body.

Information for prospective bidders and specifications may be obtained from the Town Clerk at his office, located in the Cheektowaga Town Hall.

The Town Board reserves the right to award said bid proposals for Items #1, #2, #3, #4, #5, and #6 of the "Notice to Bidders", separately as applied to the best interest of the Town of Cheektowaga.

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

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

**RICHARD M. MOLESKI**  
Town Clerk

DATED: March 17, 1980

OFFICIAL  
TOWN CLERK  
TOWN OF CHEEKTOWAGA  
ERIE COUNTY, N.Y.



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

WHEREAS, it is in order that bids be advertised to cover the purchase of Maintenance Chemicals for the year of 1980 for the Treatment Plant, Highway and Sewer Maintenance Departments of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of maintenance chemicals for the Town of Cheektowaga for the year of 1980, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 7th day of April, 1980 at 7:00 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 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 7th, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of maintenance chemicals for various departments of the Town of Cheektowaga for the year of 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: March 17, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sechster*, 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..... *March 20, 1980* ..... ;  
last publication..... *March 20, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sechster*

Sworn to before me this ..... *21-st* .....

day of ..... *March* ....., 19 *80* .....

..... *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 on April 7th, 1980 at 7:00 P.M. Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of maintenance chemicals for various departments of the Town of Cheektowaga for the year of 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: March 17, 1980

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

WHEREAS, it is in order that bids be advertised to cover the purchase of corrugated metal pipe and reinforced concrete pipe requirements for the 1980 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 7th day of April, 1980 at 7:00 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 they 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 7, 1980 at 7:00 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 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: March 17, 1980

\* \* \* \* \*

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Sediter*, of the town  
of Cheektowaga, in said County of Erie, being  
duly sworn, deposes and says that he (she) is  
..... *Clerk* ..... of the Cheek-  
towaga Times, a public newspaper published  
weekly in said town; that the notice, of which  
the annexed printed slip, taken from said news-  
paper is a copy, was inserted and published in  
said paper once a week for .....<sup>1</sup>..... weeks:  
first publication..... *March 20, 1980* ..... ;  
last publication..... *March 20, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Sediter*

Sworn to before me this ..... *21st* .....

day of ..... *March* ....., 19*80* .....

..... *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 on April 7, 1980 at 7:00 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 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 and 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 17, 1980

Item No. 20 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the comfort station located at the Town's Losson Road Park has sustained structural damages, and

WHEREAS, the Parks Department wants to have the structure reconstructed for summer use and where extensive repairs must be made to the structure, plumbing and electrical work, NOW, THEREFORE, BE IT

RESOLVED that the request for reconstruction of the Losson Road Park comfort station be granted and the Town Clerk be directed to publish a Notice to Bidders for said reconstruction, with Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board will meet on the 7th day of April, 1980 at 7:00 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 7, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for General Construction, Plumbing and Electric Work to rehabilitate and repair the Losson Road Comfort Station in the Town of Cheektowaga, New York.

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

Each bidder must deposit with his bid, security in an amount of not less than twenty percent (20%) of the base bid in the form of a certified check, payable to the Town of Cheektowaga, New York.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

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

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

RICHARD M. MOLESKI  
Town Clerk

DATED: March 17, 1980

\* \* \* \* \*

Upon Roll Call....

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

AFFIDAVIT - NEXT PAGE

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

*Gladys M. Seichter*, 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..... *March 20, 1980* ..... ;  
last publication..... *March 29, 1980* ..... ;  
and that no more than six days intervened be-  
tween publications.

*Gladys M. Seichter*

Sworn to before me this ..... *21st* .....

day of ..... *March* ....., 19 *80* .....

..... *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 on April 7, 1980 at 7:00 P.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for General Construction, Plumbing and Electric Work to rehabilitate and repair the Lossan Road Comfort Station in the Town of Cheektowaga, New York.**

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

Each bidder must deposit with his bid, security in an amount of not less than twenty percent (20%) of the base bid in the form of a certified check, payable to the Town of Cheektowaga, New York.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

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

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

**RICHARD M. MOLESKI**  
Town Clerk

DATED: March 17, 1980

Item No. 21 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, bids were duly received on February 25, 1980 as a result of advertisement by the Town Clerk for the furnishing of Pool Maintenance Chemicals for the year, 1980 and bids were referred to the Facilities Department for analysis, tabulation and report and said tabulation is attached hereto and contained in a letter to the Town Board dated March 3, 1980, NOW, THEREFORE, BE IT

RESOLVED that the contract for Pool Maintenance Chemicals for the year, 1980 be awarded to the following bidders:

Alden Pools, Inc.  
12890 Broadway  
Alden, New York 14004 on Item #1 - Bromine

and

Jones Chemicals, Inc.  
100 Sunny Sol Blvd.  
Caledonia, New York on Item #II - Diatomaceous Earth  
Item #III - Sodium Bicarbonate  
Item #IV - Soda Ash

\*See next two (2) pages for tabulation and letter

No. 7

No. 8

BIDDERS

I A II B III C IV D V E VI F VII G VIII H

Russel B. MASON CO. INC.	\$ 2.081b	\$ 0.1751b	\$ 0.211b	\$ 0.1751b	10 days AFTER ORDER
JONES Chemicals Inc.	\$ 2.611b	0.1571b 7.85 BAG	0.2391b 23.90 cwt	0.12951b 12.95 cwt	Delivery as Requested \$100.00 minimum Delivery
ALDEN Pools INC. Minimum Quantity Per Delivery	\$ 2.071b 25 BOXES	0.1751b 45 BAGS	0.2471b 15 BAGS	1.351b 10 BAGS	14 Days after ORDER
SWIMPUL service	\$ 2.561b \$115.00 Box	0.251b 12.50 BAG	\$ 0.2401b 24.00 BAG	0.151b 15.00 BAG	10 day Delivery after order
GARY Pools Sales	\$ 2.3222221b	0.201b	—	—	5-10 day Delivery after ORDER

RAYMOND M. MATOT  
Sales of Buildings

Bids will be accepted in two categories  
 Category 1 Items I  
 Category 2 Items II III & IV

# FACILITIES DEPARTMENT

JAMES J. MATECKI, DIRECTOR  
TEL. NO. (716) 891-8015

TOWN OF CHEEKTOWAGA  
CHEEKTOWAGA RECREATION CENTER  
2600 HARLEM ROAD  
CHEEKTOWAGA, NEW YORK 14225

March 3, 1980

Cheektowaga Town Board  
Town Hall  
Cheektowaga, New York

Honorable Town Board Members,

Attached please find analysis, tabulation and report in regard to the bid items and bidders for the furnishing of Pool Maintenance Chemicals for the year, 1980.

I wish to request that this bid be awarded to Alden Pools, Inc., 12890 Broadway, Alden, New York, the lowest bidder to comply with all the bid specifications on Item #I, Bromine, and to Jones Chemicals, Inc., 100 Sunny Sol Blvd., Caledonia, New York, on Items #II, Diatomaceous Earth, #III, Sodium Bicarbonate, and #IV, Soda Ash.

Respectfully,



Raymond M. Matot  
Superintendent of Buildings

RMM:rl  
Encl.  
file 2

RECEIVED

1980

Richard M. Moleski, Town Clerk

Parks . . . Buildings & Grounds . . . Plumbing & Heating . . . Construction



Item No. 21 cont'd

Upon Roll Call....

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

Item No. 22 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, the Chief of Police, Theodore DeFedericis, has requested authorization to purchase a Stevens Print-Punch Traffic Recorder for use by the Cheektowaga Police Department, and

WHEREAS, said traffic recorder would be of great value to the Police and other Town Departments for data gathering, traffic safety planning and enforcement, NOW, THEREFORE, BE IT

RESOLVED that the Chief of Police be and hereby is authorized to purchase a Stevens Print-Punch Traffic Recorder (Model 8051-2) speed classifier with road tubes, battery and battery charger at a cost of \$1,860.00, said purchase to be charged to the Town General Fund.

Upon Roll Call....

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

Item No. 23 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, the Town Board of the Town of Cheektowaga has established funds in the Facilities Department, Parks Division 1980 Budget for the purchase of "Easter" candy, and

WHEREAS, the Cheektowaga Jay-Cees has annually volunteered to conduct, in cooperation with the Facilities Department, said Easter Egg Hunt, and

WHEREAS, Cheektowaga Town Park located on Harlem Road and Central Boulevard is the desired location of said Easter Egg Hunt, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby acknowledges the Cheektowaga Jay-Cees as co-sponsors with the Town, for the annual Easter Egg Hunt, and BE IT FURTHER

RESOLVED that permission is hereby granted for the use of Cheektowaga Town Park on April 5, 1980 at 12:00 noon for the purpose of conducting said Easter Egg Hunt.

Upon Roll Call....

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

Item No. 24 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, the Town Board, Town of Cheektowaga, has established funds in the Facilities Department, Parks Division 1980 Budget, for the purchase of "Easter" candy, and

WHEREAS, the Southline Volunteer Fire Company members have annually volunteered to conduct, in cooperation with the Facilities Department said Easter Egg Hunt, and

WHEREAS, Losson Community Park, located on Losson Road, is the desired location of said Easter Egg Hunt, NOW, THEREFORE, BE IT

Item No. 24 cont'd

RESOLVED that the Cheektowaga Town Board hereby acknowledges the Southline Volunteer Fire Company as so-sponsors with the Town of Cheektowaga for the annual Easter Egg Hunt, and BE IT FURTHER

RESOLVED that permission is hereby granted for the uses of Losson Community Park and Losson Community Center on April 6, 1980 at 1:00 p.m. for the purpose of conducting said Easter Egg Hunt.

Upon Roll Call....

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

Item No. 25 Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, the Kennel Club of Buffalo, Inc. has requested permission from Facilities 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 1, 1980, 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, catagorized 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 hereby grants to the Kennel Club of Buffalo, Inc. exclusive use of the area known as Diamond Number One (1), Two (2), and Three (3); the Losson Community Center at Losson Community Park, on June 1, 1980, between the hours of 8:00 a.m. and 6:30 p.m., under the guidelines set forth within said resolution, and BE IT FURTHER

RESOLVED that copies of said resolution be directed to the Chief of Police, the Town Dog Control Officer, the Town Attorney and the Director of the Facilities Department of the Town of Cheektowaga.

Upon Roll Call....

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

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

WHEREAS, through prior Town Board Resolution, permission has been granted to the Kennel Club of Buffalo, Inc. to conduct a "Dog Show" at Losson Community Park, on June 1, 1980 between the hours of 8:00 a.m. and 6:30 p.m., and

WHEREAS, the Code of the Town of Cheektowaga, Article 48-8, "Domestic Animals Prohibited from Parks and Park Approaches", states "No domestic animals shall be permitted in a park or park approach", and

WHEREAS, only duly authorized Kennel Club of Buffalo members and registered entrants shall be allowed to occupy the grounds of the Losson Community Park during such times as stated within said Resolution, NOW, THEREFORE, BE IT

Item No. 26 cont'd

RESOLVED that the Cheektowaga Town Board permit a waiver of Article 48-8, of the Code of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that said waiver be extended to the Kennel Club of Buffalo, its membership and registrants on June 1, 1980, between the hours of 8:00 a.m. and 6:30 p.m., and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, Inc., its membership and registrants, shall comply with the Code of the Town of Cheektowaga Chapter 21, amended in its entirety on February 2, 1979, and BE IT FURTHER

RESOLVED that the Kennel Club of Buffalo, In., its membership and registrants, shall comply with the Code of the Town of Cheektowaga, Article 21-1. Applicability; Article 21-2. Seizure of Unleashed Dogs Off Owner's Premises; Article 21-3. Muzzling or Fastening of Dogs on Owner's Premises; Article 21-4. Noise by Dogs; and Article 21-5. Penalties for Offenses, and BE IT FURTHER

RESOLVED that copies of said Resolution be directed to the Chief of Police, the Town Dog Control Officer and the Town Attorney and the Facilities Department Director of the Town of Cheektowaga.

Upon Roll Call....

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

Item No. 27 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

BE IT RESOLVED that the Town of Cheektowaga Youth Bureau be and is hereby authorized to amend its 1980 Agreement with Catholic Charities Manpower Services, Inc. to continue the Family Assistance Counselor for the period April 1, 1980 - June 30, 1980 at a sum not to exceed \$2,900.00, 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 pages for amendment

Item No. 27 cont'd

Upon Roll Call....

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

Item No. 28 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is operating a Meals on Wheels Program for the elderly at the facilities of Maryvale Drive Presbyterian Church located at 425 Maryvale Drive, and

WHEREAS, an agreement between the Town of Cheektowaga and Maryvale Drive Presbyterian Church has been drafted relative to the operation of the Meals on Wheels Program for the year 1980, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign the said agreement on behalf of the Town of Cheektowaga retroactive to January 1, 1980.

Upon Roll Call....

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

Item No. 29 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga and the owners of Cheektowaga Industrial Park, located on the south side of Walden Avenue in an area generally between Harlem Road and the Buffalo-Cheektowaga City Line, conferred and met on numerous occasions in the past regarding proposals for the construction of a retention basin and related storm sewers on such property and in furtherance of the Town's Walden Avenue Storm Sewer Project, and

WHEREAS, this Town Board has previously authorized appraisals for the purpose of submitting the market value of said lands and/or easements on said premises and such appraisals have been duly received by the Town, and

WHEREAS, the Town's offer for necessary land and/or easement acquisitions has not been accepted by the owners of the said Cheektowaga Industrial Park, and

WHEREAS, the owners of the said Cheektowaga Industrial Park are agreeable to granting the Town ingress and egress to and entry upon their lands so that construction might commence on the Walden Avenue Storm Sewer Project - Phase 1, and

WHEREAS, a proposed agreement has been submitted to this Town Board for approval concerning the said land and construction thereon, NOW, THEREFORE, BE IT

RESOLVED that the said agreement be and hereby is accepted and that the Supervisor on behalf of this Town Board is directed to sign said agreement.

Upon Roll Call....

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

Item No. 30 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Erie County Highway Right of Way Department is requesting a temporary easement from the Town of Cheektowaga in order to make highway drainage improvements in conjunction with Erie County's proposed reconstruction of Losson Road, C.R. 21, and



Item No. 30 cont'd

WHEREAS, this Town Board wishes to cooperate with Erie County in an expeditious reconstruction of Losson Road, NOW, THEREFORE, BE IT

RESOLVED that the request for a temporary easement, identified as Parcel 16 and as shown on the Erie County Department of Public Works Drawing 227-23R be granted, and BE IT FURTHER

RESOLVED that the Supervisor on behalf of this Town Board sign the necessary document granting said temporary easement to the County of Erie.

Upon Roll Call....

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

Item No. 31 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District No. 5 Service Area, and

WHEREAS, one element of this program is the first phase (Phase I) of comprehensive sewer system rehabilitation, and

WHEREAS, the Town has applied for and received a Federal Grant for Step 2 engineering services, including the preparation of plans and specifications for this Rehabilitation Program under joint State/Federal Grant No. C-36-323, and

WHEREAS, the Town has entered into an Agreement with the consulting engineering firm of Nussbaumer & Clarke, Inc., dated December 27, 1979, to provide Step 2 design services, and

WHEREAS, the Agreement, under Section V, B, provides for negotiation for payment for any other work not included in the scope of the Agreement, and

WHEREAS, since the development of the original Agreement with the scope of work and associated cost summary dated June 6, 1979, additional Step 2 work has been or will be performed as follows:

- A) Preparation of Design Report for Walden Avenue Sanitary Sewer Rehabilitation;
- B) Design surveying for house connection repairs by excavation and replacement;
- C) Preparation of plans and specifications for house connection repairs, and
- D) Services required to satisfy Federal provisions for public participation, including holding a Public Hearing, and

WHEREAS, Nussbaumer & Clarke, Inc. has developed an Addendum to their Agreement to reflect the costs associated with the additional Step 2 work, NOW, THEREFORE, BE IT

RESOLVED that the Addendum to the Engineering Agreement as prepared by Nussbaumer & Clarke, Inc. and dated March 14, 1980, 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 Sanitary Sewer District No. 5, and BE IT FURTHER

RESOLVED that three (3) certified copies of this resolution be provided to the Town Engineer for submittal to the New York State Department of Environmental Conservation, Albany, New York, together with the revised Federal Grant application requesting the additional funds for this increase in scope of engineering services.

Item No. 31 cont'd

Upon Roll Call....

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

Item No. 32 Authorization for Town Engineer to investigate inflow and infiltration sources in homes with regard to Sanitary Sewer Remedial Program

Motion by Councilman Johnson, seconded by Councilman Burst to table the above resolutuion.

Upon Roll Call....

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

Item No. 33 Authorization for Town Attorney to contact owners regarding Losson Road Park Extension

This item was withdrawn.

Item No. 34 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Cheektowaga Town Board is desirous of obtaining a Lease of Premises Agreement at the Theodore Roosevelt School, playground and athletic facilities located at 2495 William Street, Cheektowaga, New York, 14227, and

WHEREAS, preliminary drawings and proposals have been submitted by Facilities Department Director, James J. Matecki, to the Cheektowaga-Sloan Union Free School District, Superintendent of Schools, Mr. Charles P. Skiptunas, and

WHEREAS, preliminary negotiations by Councilman Thomas M. Johnson, Councilman James R. Burst and Mr. Matecki have taken place with Cheektowaga-Sloan Union Free School District Board Members, and

WHEREAS, a memorandum of agreement has been reached between the Town and the Cheektowaga-Sloan Union Free School District, and

WHEREAS, conclusion of a Lease of Premises Agreement would be beneficial to both Boards in a continuing effort to provide recreational facilities to the citizens of Cheektowaga, and

WHEREAS, said Agreement would allow the Town to actively pursue a grant application to the Heritage Conservation and Recreation Service for the prupose of upgrading and improving the existing recreation facilities, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is directed to prepare a Lease of Premises Agreement between the Town of Cheektowaga and the Cheektowaga-Sloan Union Free School District in accordance with the attached memorandum, and BE IT FURTHER

RESOLVED that the Town Attorney, upon completion of said Lease Agreement, submit same to the Superintendent of Schools, Mr. Charles P. Skiptunas, by March 21, 1980 for disposition by the Cheektowaga-Sloan Union Free School District Board Members, and BE IT FURTHER

RESOLVED that the Town Attorney present said Lease Agreement to the Cheektowaga Town Board by March 21, 1980 for review and subsequent "Resolution of Adoption".

Upon Roll Call....

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

Item No. 35 Set salaries of Town officials not covered in bargaining unit  
This item was withdrawn.

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

WHEREAS, the Town Board has previously created a Senior Citizen Advisory Council for the purpose of advising the Town on matters relating to Senior Citizen programming and planning, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be appointed to serve on the Senior Citizen Advisory Council for the period of one year, ending March 17, 1981:

George Beckinghausen	Ted May
Depew, New York 14043	Buffalo, New York 14211
Joanne Chmielewski	Fred Smith
Cheektowaga, New York 14225	Cheektowaga, New York 14227
Walter Dominiak	Rev. Richard Turner
Cheektowaga, New York 14211	Maryvale Presbyterian Church
William Fenski	Cheektowaga, New York 14225
Cheektowaga, New York 14211	Albi Sullivan
Ted Jankowski	Cheektowaga, New York 14225
Cheektowaga, New York 14227	Edmund Wegrzynowski
Rev. Frank Kadryna	Cheektowaga, New York 14211
Cheektowaga, New York 14206	Ex-Officio: Town Employees
Donald Merritt	Jerry Gabryzak
Cheektowaga, New York 14206	Administrative Assistant
Beatrice Ruda	Patricia Wojcik
Sloan, New York 14212	Senior Citizen Coordinator

Upon Roll Call....

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

Item No. 37 Motion by Councilman Burst, seconded by Councilman Dux

RESOLVED that the below listed individual be hired to work for the Cheektowaga Youth Bureau with the title and salary for 1980 and thereby be established as follows:

AS A CLERK IN THE ADMINISTRATIVE INTERN PROGRAM - A.7310.160 -

at \$3.25 per hour

--Sharyl Kwitzer

Upon Roll Call....

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

Item No. 38 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Town Board and the Cheektowaga Employees' Association has previously agreed to create positions in the Facilities Department, Parks Division, and

WHEREAS, the necessary "PO-17" forms required to create a position have been filed with Erie County Personnel Department, and

WHEREAS, the Erie County Personnel Department has studied the functions, duties and responsibilities of the position and notified the Town of the proper title, NOW, THEREFORE, BE IT

RESOLVED that four (4) positions titled General Mechanic be and hereby are created in the Cheektowaga Facilities Department, Parks Division, and BE IT FURTHER

RESOLVED that said position be posted in accordance with Article 18, Section 18.01 of the Agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association prior to the naming of said appointments to said position.

Upon Roll Call....

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

Item No. 39 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the Cheektowaga Town Board, through prior resolution, created four (4) General Mechanic positions in the Facilities Department, Parks Division, and

WHEREAS, said positions of General Mechanic, were duly posted in compliance with Article 18, Section 18.01, of the Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves the following individuals to the positions of General Mechanic in the Facilities Department, Parks Division:

Bernard Arendt

James Augustine

Cheektowaga, New York 14225 Cheektowaga, New York 14227

Steven Sokolski

Cheektowaga, New York 14225

and BE IT FURTHER

RESOLVED that Mr. Lawrence Kowal, Cheektowaga, New York, 14225, presently employed in the Facilities Department, Parks Division, is hereby authorized, in compliance with the Agreement between the Town and the Cheektowaga Employees' Association to exercise his rights to a shift transfer in the title of General Mechanic.

Upon Roll Call....

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

Item No. 40 Create position of Recreation Leader-Senior Citizens  
This item was withdrawn.

Item No. 41 Appointment to position of Recreation Leader-Senior Citizens  
This item was withdrawn.

Item No. 42 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Personnel Department for the creation of an Account Clerk-Stenographer position in the Cheektowaga Youth Bureau, and

WHEREAS, the Erie County Personnel Department has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of Account Clerk-Stenographer in the Cheektowaga Youth Bureau, be and hereby is created.

Upon Roll Call....

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

Item No. 43 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, a vacancy exists in the Department of Sanitation for the position of Motor Equipment Operator (B), and

WHEREAS, Robert Colgrove, presently employed as a laborer in the Sanitation Department, has been performing the duties of the Motor Equipment Operator (B), on a temporary basis, NOW, THEREFORE, BE IT

RESOLVED that Robert Colgrove be and hereby is appointed to the position of Motor Equipment Operator (B) in the Sanitation Department, at a rate in accordance with the present bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees Association; said appointment effective immediately.

Upon Roll Call....

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

Item No. 44 Upgrading of laborer in Sanitation Department to Motor Equipment operator (B)

This item was withdrawn.

Item No. 45 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, vacancies exist for the position of Police Lieutenant in the Cheektowaga Police Department, and

WHEREAS, Officers Thomas E. Rowan and Frederick Netzel appear second and third on the Erie County Civil Service list as being eligible for the position of Police Lieutenant, NOW, THEREFORE, BE IT

RESOLVED that the following Officers in the Cheektowaga Police Department be and hereby are appointed to the position of Police Lieutenant, effective immediately, at a salary of \$21,804.00, in accordance with the Bargaining Agreements between the Town of Cheektowaga and the Captains and Lieutenants Association:

- Thomas E. Rowan
- Cheektowaga, New York 14227
- Frederick Netzel
- Cheektowaga, New York 14227

Upon Roll Call....

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

3/17/80

Item No. 46 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, Mr. Robert Sosnowski, employed in the Cheektowaga Facilities Department, is enrolled in the United States Air Force Reserve, 914th Civil Engineering Flight Unit, and

WHEREAS, Mr. Sosnowski has received orders to report for Active Duty Training effective April 19, 1980 through May 3, 1980, and

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

RESOLVED that the Cheektowaga Town Board approves said Military Leave for Mr. Robert Sosnowski, Cheektowaga, New York, for the period April 19, 1980 through May 3, 1980.

Upon Roll Call....

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

Item No. 47 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, Harry Bollman, a Police Officer in the Cheektowaga Police Department, has applied for Military Leave of Absence for March 15, 16, April 19 through May 3, 1980, 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 the period of thirty (30) days while on said military leave duty, NOW, THEREFORE, BE IT

RESOLVED that Harry Bollman, a Police Officer in the Cheektowaga Police Department, be and hereby is granted a military leave of absence retroactive to March 15 and 16, 1980 and for April 19 through May 3, 1980, and BE IT FURTHER

RESOLVED that said Harry Bollman be paid his salary or other compensation while on such military leave.

Upon Roll Call....

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

Item No. 48 Motion by Councilman Swiatek, seconded by Councilman Burst

RESOLVED that Bernadette Platt, Work Experience Coordinator for the Cheektowaga Youth Bureau, be hereby authorized to attend the Empire State Organization of Youth Employment Services' annual meeting, April 14th - 16th, 1980, in Albany, New York, and BE IT FURTHER

RESOLVED that Bernadette Platt be reimbursed for her necessary and reasonable travel expenses in connection with said trip not to exceed \$250.00.

Upon Roll Call....

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

Item No. 49 Motion by Councilman Dux, seconded by Councilman Wegner

WHEREAS, the Finger Lakes Building Officials Association will be sponsoring a "Building Officials School" to be held at the Trenholm East Inn, Victor, New York, on April 23 - 23, 1980, and

WHEREAS, at said "Building Officials School" such items as building inspection and fire protection will be discussed, as well as a review of (SEQR) State Environmental Quality Review Act, and the Energy Conservation Law, 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 three-day seminary to be held in Victor, New York on April 21 - 23, 1980, at a cost not to exceed \$170.00, 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, Burst, Wegner and Rogowski  
NAYES: 0  
ABSENT: 0

Item No. 50 Motion by Councilman Swiatek, seconded by Supervisor Meyers

RESOLVED that Edward J. Leak, Director of Recreation be and hereb authorized to attend the New York State Recreation and Parks Conference to be held in Ellenville, New York from April 20, 1980 through April 23, 1980, and BE IT FURTHER

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

RESOLVED that Edward J. Leak be reimbursed for his expenses of said trip, not to exceed two hundred fifty dollars.

Upon Roll Call....

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

Item No. 51 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, emergency sanitary sewer repairs were required at 85 Frederick Street in Sanitary Sewer District No. 3 and two (2) manholes were installed on Cherokee Drive in Sanitary Sewer District No. 5 in order to relieve a sewer blockage, which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the vouchers of George Pagels Contracting Co., Inc., 33 Homewood Road, Cheektowaga, New York 14227, in the amount of \$605.32 for 85 Federick Street and the amount of \$1,865.36 for Cherokee Drive manhole installations be approved and ordered paid.

Upon Roll Call....

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

Item No. 52 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Walden Area of the Town of Cheektowaga was designated as a neighborhood strategy area for improvements utilizing Community Development Block Grant Funds, and

Item No. 52 cont'd

WHEREAS, this Town Board, in a resolution dated March 5, 1979, authorized the acquisition of private property for the construction of a drainage system to serve the Walden Area, and

WHEREAS, the Town Engineer, in his letter of July 26, 1979 to Robert C. Laport, Appraiser, requested a re-appraisal of property needed in accordance with revised plans for said Walden Avenue Drainage System which plans changed the extent and description of lands needed to be acquired, and

WHEREAS, Robert C. Laport submitted his re-appraisal of said property in his report dated August 30, 1979, NOW, THEREFORE, BE IT

RESOLVED that Robert C. Laport's voucher in the amount of \$300.00 be paid for services rendered with funds payable thru the Community Development Block Grant Funds.

Upon Roll Call....

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

Item No. 53 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, due to the recent increases in the cost of fuel and gasoline consumption it appears reasonable that the Town increase the amount per mile reimbursed to Town employees for use of their own private vehicles while conducting Town business, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby increase the amount per mile, reimbursable to Town employees, from \$.15 to \$.20, for their use of private vehicles while conducting Town business; said increase effective March 18, 1980.

Upon Roll Call....

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

Item No. 54 Change in mileage reimbursement rate  
This item was withdrawn.

Item No. 55 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the following checks drawn on the Town of Cheektowaga's accounts are over one year old and are still not cashed, NOW, THEREFORE, BE IT

RESOLVED that the following checks are hereby restored to cash.

General Fund	Check No. 1133	\$ 6.00
	2878	5.00
	7192	51.50
	8733	10.00
	9148	20.00
Debt Servicer Fund	Check No. 34	18.00
Part Town Fund	Check No. 598	8.00
	1120	47.00
Highway Fund	Check No. 359	37.70
	3577	24.30
Special Dist. Fund	Check No. 2076	21.94
	4247	185.00
	5253	54.39
T & A Fund	Check No. 14	180.00



Item No. 55 cont'd

Upon Roll Call....

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

Item No. 56 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that funds in the amount of \$600.00 be transferred from A.1990.480 (General Fund-Contingency) to A.1624.423 (Bellevue-Water), and BE IT FURTHER

RESOLVED that funds in the amount of \$5,500.00 be transferred from DM5130.218 (Highway-Dept.-Pumps) to DM5130.200 (Highway Dept.- Equipment).

Upon Roll Call...

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

Item No. 57 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 March 17, 1980 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	14276,	14281-14492	\$ 455,840.60
GENERAL FUND-INVESTMENTS			2,900,000.00
PART TOWN FUND	158-	173	6,886.94
HIGHWAY FUND	5246-	5296	113,646.21
HIGHWAY FUND-INVESTMENTS			1,300,000.00
SPECIAL DISTRICT FUND	6788-	6872	567,121.11
SPECIAL DIST. - INVESTMENTS			6,400,000.00
CAPITAL FUND	309-	313	432,616.83
CAPITAL FUND-INVESTMENTS			500,000.00
FEDERAL REVENUE SHARING FUND	321-	351	14,181.86
H.U.D. - C.D.B.G. FUND	223-	228	34,464.02
TRUST AND AGENCY FUND	788-	792	56,902.58
			<u>\$12,781,660.15</u>

Upon Roll Call....

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 58 Health report for February  
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 59 N.Y.S. Dept. of Trans. - letter and Notices of Order regarding Highway Jurisdiction Realignment (Walden Avenue)  
Copies were sent to: Council Secretary; Captain Lis, Police Department; Cheektowaga Traffic Safety Commission.  
This item was Received and Filed.

Item No. 60 Certificate and Notice of Closing Highway  
Copies were sent to: Theodore DeFedericis, Chief of Police; Captain Lis, Police Department; Alfred Wnek, Highway Superintendent; Cheektowaga Traffic Safety Commission; Kenneth J. Meyers, Supervisor; Council Secretary.  
This item was Received and Filed.

Item No. 61 NOTICE OF CLAIM - Grace Pietrzak vs Town of Cheektowaga  
Copies were sent to: Kenneth J. Meyers, Supervisor; James J. Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Cheektowaga Traffic Safety Commission; Theodore DeFedericis, Chief of Police  
This item was Received and Filed.

Item No. 62 Letter from resident on Jane Inae regarding traffic problems and request for signal on Dick Road  
Copies were sent to: Cheektowaga Town Board; Captain Lis, Police Department; Cheektowaga Traffic Safety Commission.  
This item was Received and Filed.

VI. FROM THE TABLE

Item No. 63 Appointment to position of Working Foreman in the Sanitation Department.  
This resolution is to remain tabled.

VII. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Johnson to suspend the rules to include the following two (2) items.

Upon Roll Call....

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

Item No. 64 Memorialize Governor to keep original language in proposed Budget Bill and reject proposed changes resulting from technical language

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the New York State Division for Youth has been working cooperatively, with our municipality, helping us develop and operate our municipal youth programs for the past twelve years, and

WHEREAS, the Division for Youth has aided us with both staff and vitally important local assistance funds to offer these important services to our youth and to youth across this State, and

WHEREAS, the availability of youth services, recreation and quality leisure time activities for our youth people during their important, formative years are serving to help build character in youth, and

Item No. 64 cont'd

WHEREAS, these timely, available Youth Services activities are an important and valuable aid in preventing juvenile delinquency, and

WHEREAS, the Governor has recommended a severe and literally crippling reduction in these funds for Youth Development and Delinquency Prevention which will most assuredly and adversely affect local governments capacity to serve the needs and problems of our youths before they escalate into actual and costly delinquency, and

WHEREAS, the proposed changes in the technical language of the Governor's Budget Bill as it relates to local assistance to municipalities for youth programs, will prohibit continuation and funding of our community's youth programs, not only in this fiscal year but for years to come, NOW, THEREFORE, BE IT

RESOLVED that the proposed changes resulting from the technical language of the Governor's proposed Budget Bill, be rejected and that the original language as embodied in previous adopted budget bills remain in effect and unchanged, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be sent to Governor Hugh Carey, Assemblyman Dennis Gorski, and State Senator Dale Volker.

Upon Roll Call....

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

Item No. 65 Authorization for Supervisor to sign application for Sanitary Sewer District No. 5 and its service area with Nussbaumer & Clarke, Inc.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, by resolution of the Town Board of the Town of Cheektowaga dated December 18, 1978 the Supervisor was authorized to sign, on behalf of the Town, an application for a Grant-In-Aid for Step 2 engineering design services for Phase I corrective work in the Cheektowaga Sanitary Sewer District No. 5 Service Area, and

WHEREAS, since the filing of the original application the scope of work has been increased beyond that covered under this original application, and

WHEREAS, it is necessary at this time to submit a revised application for grant to the New York State Department of Environmental Conservation and the U.S. Environmental Protection Agency to reflect the increased scope of Step 2 work, and

WHEREAS, the consulting engineering firm of Nussbaumer & Clarke, Inc. has prepared a revised application dated March 1980 for submittal to the respective regulatory agencies, 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 application on behalf of this Board of Managers of Sanitary Sewer District No. 5 and Service Area, and BE IT FURTHER

RESOLVED that three (3) certified copies of this resolution be prepared for submitted to the New York State Department of Environmental Conservation, Albany, New York, together with the application.

Upon Roll Call....

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

Item No. 66 Motion by Councilman Dux, seconded by Councilman Rogowski  
to adjourn the meeting until Monday, March 24, 1980 at 6:00 P.M.

RICHARD M. MOLESKI  
Town Clerk

No. 7

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 24th day of March, 1980 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 James R. Burst  
Councilman Donald J. Wegner  
Councilman William P. Rogowski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Mary F. Holtz, Deputy Town Clerk; James J. Kirisits, Town Attorney; Julia Reinstein, Town Historian; Ed Leak, Recreation Director; Dr. L. Vendetti, Town Health Officer; Gerry Gabryszak, Administrative Assistant in the Council Office; Ernest Holfoth, Insurance Risk Consultant.

I. RESOLUTIONS

Item No. 2 Award of bid for insurance - electing to self-insure our worker's compensation

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Subdivision 4.a. of Section 50 of the New York Worker's Compensation Law permits a town to self-insure its obligation to secure compensation to its employees without bond or security; and

WHEREAS, the Town has received and examined proposals for a self-insurance program and has reviewed its consultant's evaluation of such proposals and has determined the potential benefits to the Town should exceed the potential of costs exceeding the purchase of insurance, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga elects to self-insure its obligation to pay compensation to its employees and directs the Town Clerk to submit a Notice of Election to secure compensation as a self-insurer and a certified copy of this Resolution to the Chairman, Worker's Compensation Board as required by law; and BE IT FURTHER

RESOLVED that the Town elects to self-insure and pay compensation benefits in accordance with the Worker's Compensation Law of the State of New York to elected and appointed officials, policemen, and other persons employed and paid wages by the Town whether or not required by said law; and BE IT FURTHER

RESOLVED that the Town will, by separate resolutions, establish a reserve fund for the payment of self-insured compensation benefits, retain the services of licensed firms to administer its self-insurance program and, subject to submission of approved vouchers, authorize the payment of funds to the selected claims administration firm to pay self-insured claims on behalf of the Town.

Upon Roll Call....

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

NAYES: 0

ABSENT: 0

NO. 7  
NO. 8

Item No. 3 Award of bid for insurance - Retain Robert F. Coleman, Inc. to provide self-insurance administration

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town has elected to self-insure its obligations under the Worker's Compensation Law of the State of New York; and

WHEREAS, the Town and its consultant have evaluated proposals for claims administration and self-insurance service; NOW, THEREFORE, BE IT

RESOLVED that the Town will retain Robert F. Coleman, Inc., starting March 30, 1980, for one year to provide self-insurance administration, claims and statistical service for a fee of \$10,450.00 for administration of the first 110 Worker's Compensation claims plus \$95.00 per claim for each claim administered over the first 110 subject to contract terms approved by the Town Attorney; and BE IT FURTHER

RESOLVED that an initial deposit of \$6,000.00 to claims trust fund of Robert F. Coleman, Inc., is authorized for the payment of self-insured claims.

Upon Roll Call....

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

Item No. 4 Award of bid for insurance to E.T. Clauss and Company for General Insurance Program excluding Worker's Compensation

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town and its consultant have received and evaluated several proposals for renewal of its General Insurance Program to be effective March 30, 1980, NOW, THEREFORE, BE IT

RESOLVED that the General Insurance Program excluding Worker's Compensation be awarded to Clauss and Company, and BE IT FURTHER

RESOLVED that the General Insurance Program may include revised Police and Umbrella Liability coverage and a deductible up to \$25,000 separately for each Automobile and General Liability accident.

Upon Roll Call....

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

## II. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Johnson to suspend the rules to include the following three (3) items.

Upon Roll Call....

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

Item No. 5 Establishing goal fo 15% for federally funded Water Control Project to be committed to minority-owned subcontractors

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga desires to comply with the Federal Register, guidelines and procedures for increased use of minority

Item No. 5 cont'd

consultants and contractors on the federally funded Water Pollution Control Project, and

WHEREAS, it is planned to do construction work on Phase I Sewer System Rehabilitation in Sanitary Sewer District No. 5 Service Area under EPA-DEC Project No. C-36-323-03-0, NOW, THEREFORE, BE IT

RESOLVED that this Town Board established a goal of fifteen percent (15%) for this federally funded Water Pollution Control Project to be committed to minority-owned subcontractors, and BE IT FURTHER

RESOLVED that this minority business enterprise goal will be included as part of the bidding requirements for the Phase I Sewer Rehabilitation Project of the Sanitary Sewer District No. 5 Service Area.

Upon Roll Call....

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

Item No. 6 Authorization for Supervisor to sign documents regarding application for park rehabilitation

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Town of Cheektowaga is eligible to apply for funds for park rehabilitation under the federal Urban Parks and Recreation Recovery Act, and

WHEREAS, the Town Planning Consultant, Stuart Alexander and Associates, has prepared an application for the rehabilitation of Cedargrove Heights Park for funding under said program, NOW, THEREFORE, BE IT

RESOLVED that Stuart Alexander and Associates be and hereby are authorized to submit said grant application to the U.S. Department of the Interior Heritage Conservation & Recreation Service on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign any and all documents and forms relative to said application on behalf of the Cheektowaga Town Board.

Upon Roll Call....

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

Item No. 7 Warrant List

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 March 24th 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>
CAPITAL FUND	314	\$ 93,750.00
GENERAL FUND	14499-14500	3,320.00
SPECIAL DIST. FUND	6876-6877	<u>34,205.00</u>
		<u>\$131,275.00</u>

Item No. 7 cont'd

Upon Roll Call....

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

Item No. 8 Motion by Councilman Rogowski, seconded by Councilman Dux  
to move into an executive session.

Upon Roll Call....

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

Item No. 9 Motion by Supervisor Meyers, seconded by Councilman Swiatek  
to adjourn the meeting until April 7, 1980.

RICHARD M. MOLESKI  
Town Clerk