MEETING NO. 16

CHEEKTOWAGA, NEW YORK
JULY 7, 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 7th day of July, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Chester L. Bryan, Town Engineer; George Burst, Auto Mechanic Foreman; Joan Dudek, Deputy Receiver of Taxes and Assessments; John Gruber, Assistant Chief of Police; Jim Kirisits, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Ed Leak, Recreation Director; Ronald Marten, Building and Plumbing Inspector; Julia Reinstein, Town Historian; Al Thrun, Cheektowaga Traffic Safety Commission; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Pat Wojcik, Recreation Supervisor-Senior Citizens.

I. BIDS

Item No. 2 Alexander Avenue Pedestrian Bridge over Scajaquada Creek.
Bids referred to Chester L. Bryan, Town Engineer.

Item No. 3 Highway Department - Diesel Fuel Oil and various Oils, etc.
Bids referred to Alfred Wnek, Highway Superintendent.

Item No. 4 Highway Department - Snow Plow Blades, Wing Blades, etc.
Bids referred to Alfred Wnek, Highway Superintendent.

II. PUBLIC HEARING

Item No. 5 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 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. 5 Cont'd.

C. No parking here to corner

MARYVALE DRIVE	South side:	from the west curb line of CAYUGA ROAD to a point two hundred feet westerly 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.

III. RESOLUTIONS

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

WHEREAS, the Cheektowaga Facilities Department has a vacancy for the position of "Cleaner", NOW THEREFORE BE IT

RESOLVED, that effective immediately, Lorraine Brem of 11 Greenleaf Lane, Cheektowaga, New York, be and hereby is appointed to the position of "Cleaner" at a salary in accordance with the current agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association.

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

Item No. 7 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the position of Clerk-Typist has been previously created in the Justice Department, AND

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

WHEREAS, Carol Serafini of , Cheektowaga, New York, appears on the most recent Civil Service List of eligibles for the position of Clerk-Typist, NOW, THEREFORE, BE IT

RESOLVED that Carol Serafini be and hereby is appointed 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. 8 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Personnel Department for two positions entitled "Senior Clerk" in the Justice Department, AND

WHEREAS, the Erie County Personnel Department has approved the creation of said positions, NOW, THEREFORE, BE IT

RESOLVED, that two positions of "Senior Clerk" be and hereby are created in the Justice Department.

Item No. 8 Cont'd.

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

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

WHEREAS, two positions of "Senior Clerk" have been created in the Justice Department, AND

WHEREAS, said positions were posted in accordance with the bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association, AND

WHEREAS, the names of Florence Walentynowicz of , Cheektowaga, NY and Susan Schottman, of , Cheektowaga, NY appear on the most recent Civil Service List of eligibles for said positions, NOW, THEREFORE, BE IT

RESOLVED that Florence Walentynowicz and Susan Schottman be and hereby are appointed to the positions of "Senior Clerk" in the Justice Department at a salary in accordance with the current agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association, said appointments effective immediately, and BE IT FURTHER

RESOLVED that Florence Walentynowicz's previous position of "Clerk to the Town Justice" be and hereby is abolished.

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

Item No. 10 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 the position of "Bookkeeper to the Supervisor", and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Bookkeeper to the Supervisor" 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. 11 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds have been provided in the 1980 budget for a supervisory position in the Accounting/Payroll Department, and

WHEREAS, advertisements for the position of "Bookkeeper to the Supervisor" have been placed in the Buffalo Evening News and the Buffalo Criterion, and

WHEREAS, all applications have been reviewed and interviews have been conducted by Percival G. Bixby and Company, CPA's, and

WHEREAS, this position is in the exempt Civil Service classification

Item No. 11 Cont'd.

and is an appointment of the Supervisor under Town Law, and

WHEREAS, the establishment of the position is a function of the full Town Board under Town Law and has been addressed in a separate resolution, NOW, THEREFORE, BE IT

RESOLVED that William Wielinski, of Cheektowaga, New York be and hereby is appointed to the position of "Bookkeeper to the Supervisor", effective July 28, 1980, at an annual salary of $19,500.00.

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

Item No. 12 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 the position of "Assessment Clerk", in the Office of the Assessor, and

WHEREAS, the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Assessment Clerk" in the Office of the Assessor, 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. 13 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, Walter Dombrowski, Acting Working Foreman in the Sanitation Department, has retired, AND

WHEREAS, there is no permanent appointment pending for the position of Working Foreman, AND

WHEREAS, the Town Board is reviewing the appropriateness of job titles in the Sanitation Department prior to making any permanent appointments, AND

WHEREAS, no one in the Sanitation Department is now authorized to sign vouchers and payrolls and perform other fiscal duties, NOW, THEREFORE, BE IT

RESOLVED that James Matecki, Director of the Facilities Department, be and hereby is temporarily authorized and directed to sign vouchers and payrolls and to perform any and all other fiscal duties previously carried out by the Working Foreman in the Sanitation Department on behalf of said Department until such time as a permanent appointment is made to the position of Working Foreman in the Sanitation Department or such other title as may be deemed appropriate for the head of said Department.

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

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

WHEREAS, the Town has adopted a Housing Code which requires residential properties which are deteriorating and present a threat to resident and

Item No. 14 Cont'd.

general public health, safety and welfare to be improved, AND

WHEREAS, housing code inspections in areas designated as Neighborhood Improvement Areas under the Community Development Block Grant Program are time consuming and represent a work load greater than that which can be handled by the present staff of the Building and Plumbing Inspection Department, AND

WHEREAS, the Town has recently initiated a Housing Rehabilitation Loan/Grant Program which, along with other related housing programs, require the involvement of the Building and Plumbing Department for the preparation of work write-ups and building inspections, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby retains Lawrence J. Kensy, residing at , Cheektowaga, New York, under a six-month, renewable, personal services contract, as a housing inspector at the hourly rate of $6.10 per hour, effective as of July 1, 1980, purpose of inspecting residential structures, preparing work write-ups, and the conduct of related duties in the designated Community Development Neighborhood Improvement Areas, and BE IT FURTHER

RESOLVED, that said building inspector be compensated with Community Development Block Grant funds and that a transfer of funds, as per the attached sheet, be made.

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

*Item No. 15 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, Edward J. Leak, employed as Director of Recreation for the Town of Cheektowaga, has requested a leave of absence without pay, from his position, for the purpose of engaging in another employment opportunity, NOW, THEREFORE, BE IT

RESOLVED that Edward J. Leak, be and hereby is granted a leave of absence without pay, for a period of six (6) months, commencing on July 23, 1980.

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

*RESOLUTION DENIED!

Item No. 16 Appointment to temporary position of Director of Recreation. Item Withdrawn.

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

WHEREAS, Sandra Metros, a Clerk-Typist in the Justice Department, has exhausted all of her accumulated sick leave, personal leave, and vacation time, while on a maternity leave of absence, and

WHEREAS, Sandra Metros has requested an extension of her maternity leave of absence through August 4, 1980, NOW, THEREFORE, BE IT

RESOLVED that Sandra Metros be and hereby is granted a leave of absence without pay, for maternity reasons, from July 7, 1980 to August 4, 1980.

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 Wegner

WHEREAS, at a meeting of the Cheektowaga Town Board held on April 7, 1980, Maryanna Stafflinger, of was appointed to the temporary position of Senior Clerk in the Assessor's Office, and

WHEREAS, Maryanna Stafflinger was granted a leave of absence for a period of three (3) months, from her permanent position of Senior Clerk in the Highway Department, while serving in the above temporary position, and

WHEREAS, said Maryanna Stafflinger has requested an extension of her leave of absence for an additional six (6) months, NOW, THEREFORE, BE IT

RESOLVED that Maryanna Stafflinger is hereby granted an additional six (6) month leave of absence from her permanent position of Senior Clerk in the Highway Department, while serving in the temporary position of Senior Clerk in the Assessor's Office; said leave of absence effective July 14, 1980.

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, William Conway, Assistant Field Assessor, has been absent from work due to illness, and

WHEREAS, William Conway will exhaust the use of his accumulated sick leave, personal leave and vacation time, on or about July 10, 1980, NOW, THEREFORE, BE IT

RESOLVED that pursuant to the terms and conditions set forth in the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employee's Association, William Conway is hereby granted an extension of his sick leave for a period of fifteen (15) working days, commencing July 10, 1980.

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

Item No. 20A Motion by Councilman Burst, seconded by Councilman Rogowski

BE IT RESOLVED that the Cheektowaga Town Board hereby authorize the seasonal employment of the following individuals at the rate of pay, classification and Department as listed below:

RECREATION DEPARTMENT - PARK ATTENDANTS @ $3.10 per hour

Trisha Camardo
Debbie Bonfessuto

BASKET CHECKERS @ $2.25 per hour

Andrea Slowinski
Richard M. Mirando
Thomas Krysiak

YOUTH BUREAU - YOUTH BEAUTIFICATION @ $3.10 per hour

Maria Pilarski
Gary Wazny
Gretchen Schmidt

Item No. 20A Cont'd.

FACILITIES DEPARTMENT - SEASONAL LABORERS @ $3.10 per hour

Michael Bauman
Michael Trautman

and BE IT FURTHER

RESOLVED that Robert Dachille, , Cheektowaga, New York be transferred from the Recreation Department as a Seasonal Basketchecker to the Youth Beautification Program at the rate of pay of $3.10 per hour, and BE IT FURTHER

RESOLVED that Allen Krupski, , Cheektowaga, New York employed as a Seasonal Laborer at $3.10 per hour in the Facilities Department, be elevated to the position of Seasonal Maintenance Mechanic at $3.61 per hour in said Department.

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

Item No. 20B Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department for the 1980 summer programs at the following rates:

RECREATION ATTENDANT $3.50/hr. - SR. CITIZENS DIVISION

Virginia Leonardi

RECREATION ATTENDANT $3.10/hour

Jerry Brzozowski
Paul Zulawski
Dave Champagne
Ingrid Mueller
Kathleen Parton
Sue Pella
Jennifer Schuler
Sean Lizak

POOL SUPERVISOR - $1,500/10 weeks

Lynda Morris

and BE IT FURTHER

RESOLVED that the following be and hereby is hired as a Seasonal Mechanic in the Cheektowaga Facilities Department at the rate of $3.61 per hour:

August Lerner

and BE IT FURTHER

RESOLVED that Kathy Moleski of , hired as a Seasonal Clerk in the Sanitation Department, be and hereby is transferred to the Building Department effective as of June 25, 1980.

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

Item No. 20C Motion by Councilman Swiatek, seconded by Councilman Burst

WHEREAS, Denise Graca, who was hired as an Activity Director for the Day Camp for Developmentally Disabled Children, is unable to accept the position, and

WHEREAS, Mary J. Rosso, who was hired as a Camp Counselor, possesses the necessary qualifications for the position, NOW, THEREFORE, BE IT

RESOLVED that Mary J. Rosso is hired as an Activity Director at the rate of $3.50 per hour, effective June 23, 1980, and BE IT FURTHER

RESOLVED that Cynthia Marie Maciejewski of is hired to fill the vacant Camp Counselor position at the rate of $3.10 per hour, and BE IT FURTHER

RESOLVED that the following individuals are hereby hired in the Cheektowaga Youth Bureau at the titled positions and rates of pay per hour:

ADMINISTRATIVE INTERN PROGRAM - (A.7310.160) - $3.10 per hour

Sydney Story - Clerk-Typist 240 Northcrest 631-9956

YOUTH CONSERVATION CORPS (YCC) - (A.7310.162 - Participants) - $3.10 per hour

Deborah Bannerman
Kathy Bragg
Elizabeth Colson
Terry Colson
Wayne Cummings
Cheryl Domkowski
Steve Donovan
Norman Duennebacke
Vincent Jenkins
Todd Kaminski
Kenneth Klein
Timothy Kozlowski
Anthony Lee
Sylvia Martin
Sandy Means
Douglas Moore
Natalie Nader
Carol Poisson
Roberta Polniaszek
Marie Porter
Karen Przybyl
Gregory Sanders
Timothy Santori
Kristen Taylor
Joseph Urbaniak
Frances Washington
Peter Wawro
Steven Wisniewski
Maureen Ziarniak
Brian Zurenda

HOMETOWN BEAUTIFICATION - (Participants) - $3.10 per hour - A.7310.164

Maria Franco
Maria Gervose
Judy Grzybch
Lynda Hanel
Joseph Kuratkowski, Jr.
Jeffrey Osinski
Andrea Slowinski
David Wutz
Keith Zogaria
Thomas Zuppa
Dana Hicks
Thomas Doktor
David Kalinowski

Item No. 20C Cont'd.

HOMETOWN BEAUTIFICATION - (Participants) - $3.10 per hour - A.7310.164 Cont'd.

Michael Kalinowski
Martin Napierski
Shelly Payton
Anthony Sisti, Jr.
Robert Kopinski
Laurie Kucwicz
Marie Slisz
William Ertel III
Mark Christ
Andrew Reinacher

HOMETOWN BEAUTIFICATION - (Crew Supervisors) - $4.25 per hour - A.7310.163

William Hall, Jr.
Ross McCordic

Y.C.C. - ASSISTANT EDUCATIONAL COORDINATOR - $5.00 per hour - A7310.161

Carol White

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

Item No. 20D Motion by Councilman Burst, seconded by Councilman Rogowski

BE IT RESOLVED that Elizabeth Smolarek of
hired as a seasonal Clerk in the Council Office, be and hereby is transferred to the Department of Senior Services effective as of June 23, 1980.

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 Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that the following employees are hereby hired and assigned to Depew Union Free School, as laborers at a salary rate of $3.21 per hour, and BE IT FURTHER

RESOLVED that they will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by Federal regulations. The starting date is to be established by the Department Head:

Herdlein, Donald
Cheektowaga, NY 14227

Post. Louis
Depew, NY 14043

Mattucci, Carmen
Cheektowaga, NY 14227

White, Edmund
Cheektowaga, NY 14225

Item No. 21 Cont'd.

McCormick, Donald

Cheektowaga, New York 14225

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

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

WHEREAS, Matthew and Charlotte Lakes have applied for a rezoning from R-Residential District to CM-General Commercial District on property located at 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 sixty-eight (68), Township ten (10), Range seven (7) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the west line of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054, two hundred ninety-seven (297) feet northerly from the intersection of the west line of Subdivision Lot "E" and the south line of Lot Number sixty-eight (68), as measured along the west line of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054; thence easterly at an exterior angle of 91°05', one hundred seventeen and four hundredths (117.04) feet to the west line of lands conveyed to Anna Butkowski by deed recorded January 25, 1943 in the Erie County Clerk's Office in liber 3345 of Deeds at page 556; thence northerly along the west line of lands conveyed to Anna Butkowski by aforesaid deed four hundred nine and ten hundredths (409.10) feet to the northwest corner of lands conveyed to Anna Butkowski by aforesaid deed; thence easterly along the north line of said Anna Butkowski's lands eighty-four (84) feet to the east line of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054; thence northerly along the east line of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054 two hundred and twenty-five hundredths (200.25) feet to the northeast corner of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054; thence westerly along the north line of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054 two hundred fourteen and fifty hundredths (214.50) feet more or less to the northwest corner of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054; thence southerly along the west line of Subdivision Lot "E" as shown on a map filed in the Erie County Clerk's Office under Cover Number 1054; six hundred six and seventy hundredths (606.70) feet more or less 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 16th day of June, 1980 at 6:30 o'clock P.M. Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York, and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Erie County Division of Planning has recommended denial of this application because the area is residential and a business zone would not enhance the residential character of the area, now, therefore, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential District to CM-General Commercial District be and is hereby denied.

Item No. 22 Cont'd.

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 Councilman Burst

WHEREAS, Antonio Bellavia has applied for a rezoning from R-Residential District to C-Retail Business District on property located at 900 French Road, Cheektowaga, New York, and being more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 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.

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 25th day of February, 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 Cheektowaga Planning Commission has recommended denial of this application because of lack of parking facilities and to rezone would be detrimental to the surrounding residential neighbors, now, therefore, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential 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. 24 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Frank and Antonietta Gallo have made application and requested the rezoning of property located at 381 Bennett Road from R-Residential District to CM-General Commercial District, said applicants being the owners of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 21st, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 10, 1980; last publication July 10, 1980; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 15th

day of July, 1980.

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

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 July 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Frank and Antonietta Gallo to Rezone from R-Residential District to CM-General Commercial District on property located at 381 Bennett 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.

SCHEDULE "A"

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

BEGINNING at a point in the center line of Bennett Road, distant 139.92 feet southwesterly from its intersection with the center line of Como Park Boulevard; thence southerly at an interior angle of 135° 13' 30" and along the west line of lands conveyed to Willis E. Elliott by deed recorded in the Erie County Clerk's Office in Liber 4732 of Deeds at page 355, 632 feet more or less to the center of Cayuga Creek; thence easterly along the center of Cayuga Creek to its intersection with the west line of lands conveyed to The Allied Bitumens, Inc. by deed recorded August 27, 1947 in Erie County Clerk's Office in Liber 4175 of Deeds at page 106; thence northerly along the west line of lands so conveyed to The Allied Bitumens, Inc. 485 feet to a point; thence westerly at right angles to the last described line, 111.20 feet to a point; thence northwesterly in a straight line, 268.75 feet to a point on the center line of Bennett Road distant 65.53 feet northeast of the point of beginning; thence southwesterly along the center line of Bennett Road, 65.53 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
Councilmen:
Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

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

WHEREAS, Clarence E. Penhollow, has made application and requested the rezoning of property located at 951 and 957 Dick Road from M1-Light Manufacturing District to CM-General Commercial District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 21st, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

AFFIDAVIT-NEXT PAGE

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

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 10, 1980; last publication July 10, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 15th day of July, 1980

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 21st day of July 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Clarence E. Penhollow to Rezone from M1-Light Manufacturing District to CM-General Commercial District on property located at 951 and 957 Dick 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.

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

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 13, Township 11, Lane 7 and further described by the Holland Land Company's Survey bounded as follows:

BEGINNING at a point in the center line of Dick Road a distance of 451.86 feet northerly from the point of intersection of said center line with the southerly line of Lot Number 13; thence running northerly along said center line of Dick Road a distance of 54.51 feet; thence easterly parallel with said south line of Lot Number 13 a distance of 234.33 feet; thence southerly parallel to the center line of Dick Road a distance of 54.51 feet; thence westerly parallel with said southerly line of Lot Number 13 a distance of 234.33 feet to the point or place of beginning being 0.28 acres more or less.

ALSO

ALL THAT PARCEL OF LAND, situate in the Town of Cheektowaga, Erie County, New York, being part of Lot 13, Township 11, Range 7 of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at a point in the easterly line of Dick Road at the distance of three hundred eighty-nine and forty-four one hundredths (389.44) feet northerly from the south line of Lot 13; thence easterly and parallel with said south line of Lot 13 a distance of two hundred thirty-four and thirty-three one hundredths (234.33) feet; thence northerly and parallel with Dick Road a distance of sixty two and forty-two one hundredths (62.42) feet; thence westerly and parallel with said south line of Lot 13 a distance of two hundred thirty-four and thirty-three one hundredths (234.33) feet; thence southerly along the center line of Dick Road a distance of sixty two and forty-two one hundredths (62.42) 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

Councilmen:

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

RICHARD M. MOLESKI
Town Clerk

Item No. 26 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Joseph and Estelle Urbanik have made application and requested a Special Permit for a used car lot, and have requested a rezoning from M1-Light Manufacturing District to CM-General Commercial District, for property located at 3617 Genesee Street, Town of Cheektowaga; said applicants being the owners of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said requests under the provisions of the Zoning Ordinance on August 4, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

AFFIDAVIT-NEXT PAGE

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

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

Gladys M. Hechter

Sworn to before me this 25th

day of July, 1980

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 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 4th day of August, 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Joseph & Estelle Urbanik to Rezone from M1-Light Manufacturing District to CM-General Commercial District on property located at 3617 Genesee Street and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

ALL THAT TRACT OR PARCEL OF LAND, together with all improvements thereon, lying and being in the Town of Cheektowaga, County of Erie and State of New York, and described as follows: Being part of lots twelve (12) and Thirteen (13) in Township Eleven (11) Range seven (7) of the Holland Land Company's Survey, and which on a certain subdivision map and survey of a part of said lots Twelve and Thirteen in said Township made by C.N. Witmer, Surveyor, and filed in the Erie County Clerk's Office under Cover 539 is distinguished as subdivision lots No. 3 and 4.

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
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

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

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

Gladys M. Zechte

Sworn to before me this 25th

day of July, 1980

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 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 4th day of August, 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Joseph & Estelle Urbanik for a Special Permit for a used car lot on property located at 3617 Genesee 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, together with all improvements thereon, lying and being in the Town of Cheektowaga, County of Erie and State of New York, and described as follows: Being part of lots twelve (12) and Thirteen (13) in Township Eleven (11) Range seven (7) of the Holland Land Company's Survey, and which on a certain subdivision map and survey of a part of said lots Twelve and Thirteen in said Township made by C.N. Witmer, Surveyor, and filed in the Erie County Clerk's Office under Cover 539 is distinguished as subdivision lots No. 3 and 4.

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
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

Item No. 27 Motion by Councilman Johnson, seconded by Councilman Wegner

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga, which was adopted on July 17, 1967, be held on the 21st day of July, 1980 at 7:00 P.M., Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 10th day of July, 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 21st day of July, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE VIII

Stop and Yield Intersections

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

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

Street	Direction	Entrance Street	Traffic Stops	Sign Location
BARBADOS DRIVE	East-west	PHILIP DRIVE	Southbound	N.W. Corner

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: July 7, 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. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 10, 1980; last publication July 10, 1980; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 15th day of July, 1980.

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

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 July, 1980 at 7:00 o'clock P.M. Eastern Daylight Saving Time, to consider the advisibility 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 thereto the following:

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

Street, BARBADOS DRIVE; **Direction**, East-west; **Entrance Street**, PHILIP DRIVE; **Traffic Stops**, Southbound; **Sign Location**, N.W. Corner

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

RICHARD M. MOLESKI
Town Clerk

Item No. 28 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, a public hearing was held on an amendment to the Traffic Ordinance on October 2, 1978, and

WHEREAS, said amendment to the Traffic Ordinance was adopted by the Town Board on June 2, 1980, and

WHEREAS, said amendment excluded parking on one side of numerous streets throughout the Town under Section 102 A of the Traffic Ordinance, and

WHEREAS, the following exclusion was listed erroneously:

THE AVENUE	West side	from the south curb line of MC PARLIN AVENUE to the north curb line of FREDA AVENUE

and

WHEREAS, said amendment should have been listed as:

THE AVENUE	West side	from the south curb line of MC NAUGHTON AVENUE to the terminus

NOW, THEREFORE, BE IT RESOLVED that said resolution of June 2, 1980 relating to the amendment to the Traffic Ordinance be and hereby is amended and corrected to read as follows:

THE AVENUE	West side	from the south curb line of MC NAUGHTON AVENUE to the terminus.

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 Consulting Engineering firm of Nussbaumer and Clarke, Inc. have conducted a drainage study of the northeast portion of the Town and have prepared drainage systems maps thereof, and

WHEREAS, this Town Board duly called for a public hearing to consider the advisability of adopting and incorporating the said drainage systems maps of the northeast section of the Town into the "Drainage Systems Ordinance and Official Drainage Systems Map" of the Town of Cheektowaga, and

WHEREAS, the said public hearing was duly held by this Town Board at the Cheektowaga Town Hall on the 16th day of June, 1980 at 7:00 P.M., and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Drainage Systems Ordinance and Official Drainage Systems Map" of the Town of Cheektowaga by including therein map sections of the northeast portion of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the "Drainage Systems Ordinance and Official Drainage Systems Map" of the Town of Cheektowaga be and the same hereby is amended and changed as follows:

RESOLVED THAT ARTICLE 11, SECTION 4, which relates to the establishment of an Official Drainage Systems Map, shall be amended by the adoption of drainage map sections of the northeast portion of the Town of Cheektowaga, specifically:

Northeast section of the Town of Cheektowaga, Map Sections:
D-1, D-2, D-3, D-4, E-1, E-2, E-3 and E-4.

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

Gladys M. Liechty, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 10, 1980; last publication July 10, 1980; and that no more than six days intervened between publications.

Gladys M. Liechty

Sworn to before me this 15th

day of July, 1980

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 7th day of July, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Supervisor Meyers, Seconded by Councilman Wegner

WHEREAS, the Consulting Engineering firm of Nussbaumer and Clarke, Inc. have conducted a drainage study of the northeast portion of the Town and have prepared drainage systems maps thereof, and

WHEREAS, this Town Board duly called for a public hearing to consider the advisability of adopting and incorporating the said drainage systems maps of the northeast section of the Town into the "Drainage Systems Ordinance and Official Drainage Systems Map" of the Town of Cheektowaga, and

WHEREAS, the said public hearing was duly held by this Town Board at the Cheektowaga Town Hall on the 16th day of June, 1980 at 7:00 P.M., and at which hearing all parties in interest and citizens had an opportunity to be heard, and were heard, and

WHEREAS, it is in the public interest to amend the "Drainage Systems Ordinance and Official Drainage Systems Map" of the Town of Cheektowaga by including therein map sections of the northeast portion of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the "Drainage Systems Ordinance and Official Drainage Systems Map" of the Town of Cheektowaga be and the same hereby is amended and changed as follows:

RESOLVED THAT ARTICLE 11, SECTION 4, which relates to the establishment of an Official Drainage Systems Map, shall be amended by the adoption of drainage map sections of the northeast portion of the Town of Cheektowaga, specifically:

Northeast section of the Town of Cheektowaga, Map Sections: D-1, D-2, D-3, D-4, E-1, E-2, E-3 and E-4. and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on July 7, 1980; and that a certified copy thereof be published in The CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance" of the Town of Cheektowaga, New York shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

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 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 July 7, 1980, and minutes of said meeting have been duly recorded in the Minute Book

y me in accordance with law for
e purpose of recording the
inutes of meetings of said Board,
nd such minutes appear at item
9, 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 7th day of July, 1980.

RICHARD M. MOLESKI
Town Clerk

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

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 10, 1980; last publication July 10, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 15th

day of July, 1980

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

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 7th day of July, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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, the Town of Cheektowaga Building Code requires that all Building and Plumbing Permit fees shall be as specified in a fee schedule as approved by the Town Board, and

WHEREAS, it has been recommended that the following Building and Plumbing Permit fee schedule be adopted, and

WHEREAS, it is in the public interest to adopt the following Building and Plumbing Permit fee schedule, NOW, THEREFORE, BE IT

RESOLVED that the Building and Plumbing Permit fee schedule shall be as set forth below:

BUILDING AND PLUMBING PERMIT FEE SCHEDULE

Each application shall be accompanied by the required fee based upon the cost of the structure or improvement except where a specific fee is provided herein.

COMMERCIAL STRUCTURES
$2.00 per thousand for the first $50,000.00 valuation
$1.00 per thousand over $50,000.00 valuation
(Minimum fee $25.00)

RESIDENTIAL STRUCTURES
$2.00 per thousand for the first $10,000.00 valuation
$1.00 per thousand over $10,000.00 valuation
(Minimum fee $10.00)

Moving of Buildings	$20.00
Demolition	$10.00
Storage Tanks	$25.00
Swimming Pools	$10.00
Advertising Sign	$40.00
Identification Sign	$10.00
Certificate of Occupancy	$10.00
(All building permit application fees shall include a $10.00 non-refundable filing fee.)	
Sewer Permit	$10.00
Plan Filing Fee [Commercial]	$10.00
Plan Filing Fee [Residential]	$5.00
Fee Per Fixture	$2.00
Reinspection Fee [All Work]	$5.00

In the event that work requiring a building permit is commenced prior to the issuance of the permit, the fee for the permit shall be double the regular rate or the additional sum of $25.00 whichever is greater. This shall be in addition to any other penalty provided for commencement of work without a permit.

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 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 July 7, 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. 30, 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 7th day of July, 1980.

RICHARD M. MOLESKI
Town Clerk

Item No. 30 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga Building Code requires that all Building and Plumbing Permit fees shall be as specified in a fee schedule as approved by the Town Board, and

WHEREAS, it has been recommended that the following Building and Plumbing Permit fee schedule be adopted, and

WHEREAS, it is in the public interest to adopt the following Building and Plumbing Permit fee schedule, NOW, THEREFORE, BE IT

RESOLVED that the Building and Plumbing Permit fee schedule shall be as set forth below:

* * * * * * * * * * * * * * * * * * * *

BUILDING AND PLUMBING PERMIT FEE SCHEDULE

Each application shall be accompanied by the required fee based upon the cost of the structure or improvement except where a specific fee is provided herein.

COMMERCIAL STRUCTURES

$2.00 per thousand for the first $50,000.00 valuation
$1.00 per thousand over $50,000.00 valuation
(Minimum fee $25.00)

RESIDENTIAL STRUCTURES

$2.00 per thousand for the first $10,000.00 valuation
$1.00 per thousand over $10,000.00 valuation
(Minimum fee $10.00)

MOVING OF BUILDINGS	$20.00
DEMOLITION	$10.00
STORAGE TANKS	$25.00
SWIMMING POOLS	$10.00
ADVERTISING SIGN	$40.00
IDENTIFICATION SIGN	$10.00
CERTIFICATE OF OCCUPANCY	$10.00
(All building permit application fees shall include a $10.00 non-refundable filing fee.)	
SEWER PERMIT	$10.00
PLAN FILING FEE (COMMERCIAL)	$10.00
PLAN FILING FEE (RESIDENTIAL)	$ 5.00
FEE PER FIXTURE	$ 2.00
REINSPECTION FEE (ALL WORK)	$ 5.00

In the event that work requiring a building permit is commenced prior to the issuance of the permit, the fee for the permit shall be double the regular rate or the additional sum of $25.00 whichever is greater. This shall be in addition to any other penalty provided for commencement of work without a permit.

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

AFFIDAVIT-NEXT PAGE

Item No. 31 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Doctor Victor Reinstein, , Cheektowaga, New York, has expressed his intent to honor posthumously, former Supervisor John C. Stiglmeier for the numerous positive achievements during his administration, AND

WHEREAS, Doctor Victor Reinstein has agreed to donate Twenty-Five Thousand Dollars ($25,000.00) to the Town of Cheektowaga contingent upon the Town Board renaming the Losson Road Park site and all future additions to it, JOHN C. STIGLMEIER PARK, AND

WHEREAS, the Cheektowaga Town Board is in agreement with Doctor Reinstein in paying tribute to John C. Stiglmeier as the former Supervisor of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby officially proclaims and designates the present Losson Park and its future additions, JOHN C. STIGLMEIER PARK, and BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board accepts from Doctor Victor Reinstein, the sum of Twenty-Five Thousand Dollars ($25,000.00) in compliance with this agreement to rename said park property, JOHN C. STIGLMEIER PARK, said sum to be paid within thirty (30) days subsequent to this resolution and the changing of the park signs designating the new name.

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

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

WHEREAS, a resolution was adopted by the Town Board on February 4, 1980 memorializing 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

WHEREAS, said permit has been received by the Town Clerk's Office, and

WHEREAS, it is necessary that said permit be executed by the Supervisor, now, therefore, be it

RESOLVED that the Supervisor be and is hereby authorized and directed to execute the permit for the installation of a signal at the existing French Road - Towers Boulevard intersection.

*See next two (2) pages for copy of Signal Permit.

DIVISION OF HIGHWAYS
Buffalo, New York

PERMIT TO INSTALL, ALTER OR RELOCATE TRAFFIC SIGNS, SIGNALS OR MARKINGS

The undersigned hereby requests permission to install and maintain an actuated traffic control signal at the intersection of French Road, CR 321, and Towers Blvd., a Town Road.

As a condition of granting this permit, it is agreed that:

1. The applicant shall furnish the necessary parts, equipment, traffic signs or signals and pay all costs of installation, maintenance and operation.

2. The Cheektowaga Town Board and the Cheektowaga Traffic Safety Commission have notified the Erie County Dept. of Public Works, Highway Division, that the realignment of the French Road-Towers Boulevard intersection is not necessary due to the small volume of traffic utilizing Nancy Place and thereby immediately memorialized 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. The applicant shall furnish the necessary parts, equipment, traffic signs or signals and pay all costs of installation, maintenance and operation.

   There shall be a minimum of two (2) vehicular faces visible to traffic on each approach, and they shall have red, amber, and green lenses on each face. Pedestrian pushbuttons and indications shall be located for all approaches with pedestrian demand. This signal shall be controlled by a "fail-safe" device to prevent simultaneous green vehicle indications, and/or with, "WALK" pedestrian indications on adjacent approaches or conflicting phases.

   All signs, stop bars, crosswalks, and traffic control devices related to, or coordinated with, this installation must be installed and maintained by the undersigned.

   Signal timing and operational plans must be approved by the Erie County Dept. of Public Works - Deputy Commissioner of Highways.

   Unreasonable interruption of traffic flow on French Rd. by use of the pedestrian buttons will result in revocation of this permit.

RECEIVED
JUL 9 - 1980
Richard M. Moleski, Town Clerk

RECEIVED
Richard M. Moleski, Town Clerk

3. All signals shall be suspended centrally over the pavement, with a minimum clearance of 15' 6" to 17' 6".

4. All signs, signals or markings covered by this permit shall conform to the standards of the New York State Department of Transportation Manual of Uniform Traffic Control Devices.

5. The work authorized by this permit shall be performed under the supervision and to the satisfaction of the Deputy Commissioner of Public Works-Highways of Erie County.

6. Traffic shall be maintained; and traffic and public shall be properly protected at all times during the progress of the work authorized by this permit.

7. All portions of the highway or street which may be disturbed during the progress of the work authorized by this permit shall be restored to their original condition.

8. The applicant hereby agrees that it will keep insured during the performanance of the above described work, such employees as are required to be insured under the provisions of Chapter 41 of the Laws of 1914 and acts amendatory thereof, known as the Workmen's Compensation Law.

9. The applicant agrees to maintain the sign, signal or marking and any equipment or necessary parts thereof in good condition, and in a manner which will not constitute a hazard to traffic.

10. The applicant hereby agrees to hold the County harmless on account of damages of any kind which may arise during the progress of the work authorized by this permit, or by reason thereof, including any damage that may result from failure of signal to operate at any time.

11. This permit is revocable at the discretion of the Deputy Commissioner of Public Works - Highways after a hearing and for due cause.

The person executing this application on behalf of the applicant certifies that he has full authority to execute this application, and if the applicant is a village, town or school board, he has annexed hereto a certified copy of a resolution by such body, authorizing him to make this application.

Dated: July 7, 1980

TOWN OF CHEEKTOWAGA, NEW YORK

(Name of authority requesting permit)

By Kenneth J. Meyers

(Title)

Kenneth J. Meyers, Supervisor

APPROVED UNDER CHAPTER 63, SECTION 136, OF THE LAWS OF 1936

Dated: 17 JUL 80

DEPUTY COMMISSIONER OF PUBLIC WORKS - HIGHWAYS

Kenneth L Bateman

Item No. 32 Cont'd.

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

Item No. 33 Award of bid - Installation of traffic signal at intersection of French Road and Towers Blvd.

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the signalization of French Road - Towers Boulevard, which bids were duly received and opened at the Regular Town Board meeting of June 16, 1980, AND

WHEREAS, said bids were referred to the consulting engineering firm of McFarland-Johnson, Engineers, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in the letter from the Town Engineer to the Town Board dated June 23, 1980, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of labor and necessary materials for the signalization of French Road - Towers Boulevard, as recommended in the Town Engineer's report of June 23, 1980 be and the same is hereby awarded to Tri-City Electric Company, Inc., 1346 South Park Avenue, Buffalo, New York 14220 for the bid price of $26,138.50, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign the contract with said Tri-City Electric Company, Inc. on behalf of this Town Board.

*See next page for analysis, tabulation and report.

Town of Cheektowaga

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

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

June 23, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: French Road - Towers Blvd.
Traffic Signal

Gentlemen:

At the Regular Town Board Meeting of June 16, 1980 bids were received for the signalization of the intersection of French Road and Towers Blvd. Three (3) bids were received and are as follows:

Tri-City Electric Company, Inc.	$26,138.50
O'Connell Electric Company	$28,156.30
Ferguson Electric Construction Co., Inc.	$34,741.00

The Town is providing the two (2) signal poles at a cost of $2,652.00. This cost addition to the low bid resulted in a bid still under the engineer's estimate of $31,509.25.

The bids were reviewed by the consulting firm of McFarland Johnson Engineers and it is the recommendation of both the consulting engineers and ourselves that the bid be awarded to Tri-City Electric Company, Inc., 1346 South Park Avenue, Buffalo, New York 14220 for the submission of the lowest bid meeting the requirements of the specifications. This bid being in the amount of $26,138.50.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 34 Cont'd.

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the purchase of traffic control signs, posts and brackets for the Town of Cheektowaga, AND

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

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

RESOLVED that the bid be awarded to the following bidders submitting the lowest responsible bid in the categories noted:

1) Finished Signs - All Categories: American Highway Sign Co., Inc.
East Longmeadow, Mass. 01028

2) Posts - 10' Long, Square: Unistrut Buffalo, Inc.
Buffalo, New York 14204

3) Posts - 10' Long "U" Posts: American Highway Sign Co., Inc.

4) Street Sign Brackets: American Highway Sign Co., Inc.

*See next two (2) pages for analysis, tabulation and report.

Town of Cheektowaga

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

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

June 25, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Bid for Traffic Control Signs

Gentlemen:

At a regular Town Board Meeting of June 16, 1980, bids were received and opened for the purchase of traffic control signs for the Town of Cheektowaga for the period of July 1, 1980 thru June 30, 1981. Specifications noted different categories such as square, rectangle, octagon or triangle, in sizes, as type and size determine the cost.

Five (5) bidders submitted bids in six (6) categories and thirty-nine (39) items. This letter would be very lengthy to list each item bid so one item in each catagory will be listed for representative comparison.

ITEM	EASTERN METAL	CHEMUNG	AMERICAN SIGN	EMPIRE	UNISTRUT POSTS
24" Square Sign	$17.20	$14.88	$9.73	$16.75	--
24" Octagon Sign	17.20	14.88	9.15	16.50	--
8' X 24" Flat Sign	15.50	27.74	3.24	16.75	--
36" Triangle Sign	18.40	16.99	11.54	18.90	--
10' Galvanized "U" Post	10.00	--	9.87	16.70	--
Post Bracket	6.60	--	4.52	6.85	--
10' Square Post	21.00	--	--	--	16.78

It is, therefore, recommended that bids be awarded to the following bidders submitting the lowest responsible bid in the categories noted.

American Highway Sign Co., Inc. - Finishing signs, "U" Posts & Brackets

Unistrut Buffalo, Inc. - Square Posts

Our specifications specified that the supplier shall be within 200 miles of Cheektowaga for service reasons only. The low bidder, American Highway Sign Company, Inc., is not within the 200 mile radius, but we have been assured by the low bidder that service will not be a problem. We have contacted three (3) other local municipalities that have used American Highway Signs, the cities of Lackawanna, North Tonawanda and Buffalo and each recommend this company for service, delivery and compliance to specifications.

Cost savings to the Town in picking the lowest bidder was considered in waiving the 200 mile condition in the award of this bid.

A complete bid tabulation is on file in the Engineering Department.

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. 35 Cont'd.

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

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

WHEREAS, there is drainage relief needed on Chapel Avenue, which drainage relief can be provided by the Chapel - Smith Drainage Project, AND

WHEREAS, the consulting firm of McFarland-Johnson, Engineers, Inc. was authorized to prepare plans and specifications for the reconstruction of Chapel Avenue, AND

WHEREAS, Chapel Avenue is situated in an area designated as a neighborhood improvement target area allowing improvements to be made utilizing Community Development Block Grant Funds, AND

WHEREAS, the Town Engineer informed this Town Board that plans and specifications are ready for the Chapel - Smith Drainage Project and the Chapel Avenue Reconstruction, Phase I, Project, AND

WHEREAS, all necessary easements have been obtained for the Chapel - Smith Drainage Project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said Chapel - Smith Drainage Project and Chapel Avenue Reconstruction, Phase I, notice to be published in the BUFFALO EVENING NEWS, the CHEEKTOWAGA TIMES and the BUFFALO CRITERION, and BE IT FURTHER

RESOLVED, that this Town Board meet on the 21st day of July, at 7:00 P.M., Local Time, for the purpose of receiving bids at which time they will be opened by the Town Board at a public meeting held for that purpose.

Motion was made by Councilman Johnson, seconded by Supervisor Meyers to amend this resolution to include the following paragraph:

"AND BE IT FURTHER RESOLVED that the pending plans and specifications for the Chapel - Smith Drainage Project and the Chapel Avenue Reconstruction, Phase I, Project be approved by the Cheektowaga Highway Superintendent, and if necessary, the County Highway Superintendent."

and the vote on said amendment was as follows:

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

AMENDED RESOLUTION

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, there is drainage relief needed on Chapel Avenue, which drainage relief can be provided by the Chapel - Smith Drainage Project, AND

WHEREAS, the consulting firm of McFarland-Johnson, Engineers, Inc. was authorized to prepare plans and specifications for the reconstruction of Chapel Avenue, AND

WHEREAS, Chapel Avenue is situated in an area designated as a neighborhood improvement target area allowing improvements to be made utilizing

Item No. 36 Cont'd.

Community Development Block Grant Funds, AND

WHEREAS, the Town Engineer informed this Town Board that plans and specifications are ready for the Chapel - Smith Drainage Project and the Chapel Avenue Reconstruction, Phase I, Project, AND

WHEREAS, all necessary easements have been obtained for the Chapel-Smith Drainage Project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is directed to publish a Notice to Bidders in connection with said Chapel - Smith Drainage Project and Chapel Avenue Reconstruction, Phase I, notice to be published in the BUFFALO EVENING NEWS, THE CHEEKTOWAGA TIMES and THE BUFFALO CRITERION, and BE IT FURTHER

RESOLVED that this Town Board meet on the 21st day of July at 7:00 P.M., Local Time, for the purpose of receiving bids at which time they will be opened by the Town Board at a public meeting held for that purpose, and BE IT FURTHER

RESOLVED that the pending plans and specifications for the Chapel-Smith Drainage Project and the Chapel Avenue Reconstruction, Phase I, Project be approved by the Cheektowaga Highway Superintendent, and if necessary, the County Highway Superintendent.

* *

INVITATION FOR BIDS

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M., Local Time, on the 21st day of July, 1980 at which time and place they will be publicly opened and read aloud for the following work:

SMITH STREET - CHAPEL AVENUE DRAINAGE

AND

CHAPEL AVENUE RECONSTRUCTION, PHASE 1

The work to be accomplished under this proposal consists of the construction of approximately 1,400 linear feet of 24 inch diameter storm sewer and appurtenances on easements beginning at Chapel Avenue near Smith Street and extending southerly, crossing Northcrest Avenue, Southcrest Avenue and Orchard Place to Tributary T-3B of Scajaquada Creek and the reconstruction of approximately 1,100 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from Union Road easterly to a point approximately 400 feet east of Smith Street.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, Negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid shall be submitted with each bid.

Item No. 36 Cont'd.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK

DATED: July 7, 1980

* *

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

AFFIDAVITS-NEXT FEW PAGES

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

Gladys M. Fechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 16, 1980; last publication July 16, 1980; and that no more than six days intervened between publications.

Gladys M. Fechter

Sworn to before me this 15th

day of July, 1980.

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

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M., Local Time on the 21st day of July, 1980 at which time and place they will be publicly opened and read aloud for the following work:

SMITH STREET-
CHAPEL AVENUE DRAINAGE
AND
CHAPEL AVENUE
RECONSTRUCTION, PHASE 1

The work to be accomplished under this proposal consists of the construction of approximately 1,400 linear feet of 24 inch diameter storm sewer and appurtenances on easements beginning at Chapel Avenue near Smith Street and extending southerly, crossing Northcrest Avenue, Southcrest Avenue and Orchard Place to Tributary T-3B of Scajaquada Creek and the reconstruction of approximately 1,100 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from Union Road easterly to a point approximately 400 feet east of Smith Street.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5 percent) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York
DATE: July 7, 1980

STATE OF NEW YORK

Erie County, City of Buffalo

The BUFFALO CRITERION

625-25 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 therein once a week for one weeks, the first insertion being on the 9th day of July, 19 80 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 12th day of July, 19 80

Arthur K. Posluszny

ARTHUR K. POSLUSZNY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30 19 81

Invitation For Bids

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M., Local Time on the 21st day of July, 1980, at which time and place, they will be publicly opened and read aloud for the following work:

SMITH STREET-CHAPEL AVENUE DRAINAGE
AND
CHAPEL AVENUE RECONSTRUCTION
PHASE I

The work to be accomplished under this proposal consists of the construction of approximately 1,400 linear feet of 24 inch diameter storm sewer and appurtenances on easements beginning at Chapel Avenue near Smith Street and extending southerly, crossing Northcrest Avenue, Southcrest Avenue and Orchard Place to Tributary T-3B of Scajaquada Creek and the reconstruction of approximately 1,100 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from Union Road easterly to a point approximately 400 feet east of Smith Street.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga".

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, Negotiable U. S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

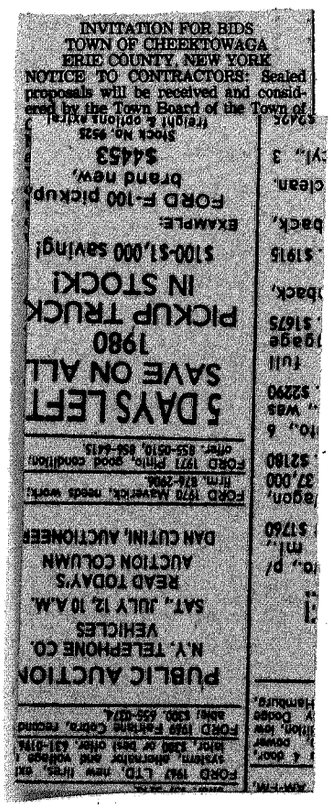
The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK
DATE: July 7, 1980

State of New York

ERIE COUNTY
CITY OF BUFFALO } ss.



INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK
NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of

PUBLIC AUCTION
N.Y. TELEPHONE CO.
VEHICLES
SAT., JULY 12, 10 A.M.
READ TODAY'S
AUCTION COLUMN
DAN CUTINI, AUCTIONEER

5 DAYS LEFT
SAVE ON ALL
1980
PICKUP TRUCK
IN STOCK!

EXAMPLE:
FORD F-100 pickup
brand new
$4453
$100-$1,000 saving!

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~s~~he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO 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 a ~~week for~~ ~~weeks, the first~~ insertion being on the 10th day of July 1980 ~~and the last insertion being on the day of~~

D. Eileen Perry

Sworn to before me this 11th day of July 1980

Francis 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.

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M., Local Time on the 21st day of July, 1980 at which time and place they will be publicly opened and read aloud for the following work:

SMITH STREET-CHAPEL AVENUE DRAINAGE AND CHAPEL AVENUE RECONSTRUCTION, PHASE 1

The work to be accomplished under this proposal consists of the construction of approximately 1,400 linear feet of 24 inch diameter storm sewer and appurtenances on easements beginning at Chapel Avenue near Smith Street and extending southerly, crossing Northcrest Avenue, Southcrest Avenue and Orchard Place to Tributary T-35 of Scajaquada Creek and the reconstruction of approximately 1,100 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from Union Road easterly to a point approximately 400 feet east of Smith Street.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "Town of Cheektowaga."

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, Negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, N.Y.

DATE: July 7, 1980

D. Eileen Perry

of the City of Buffalo, New York, being duly sworn, deposes and says that ~~s~~he is Principal Clerk of the BUFFALO EVENING NEWS, INC., Publisher of the BUFFALO 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 a ~~xxxxxxxxxx~~ ~~xxxxxxxx~~ ~~weeks, the first~~ insertion being on the 10th day of July 19 80 ~~xxxxxx~~ ~~xxxxxxxxx

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

WHEREAS, the New York State Department of Transportation is undertaking the reconstruction of Harlem Road (S.H. 9381) from Broadway to William Street in the Town of Cheektowaga, AND

WHEREAS, the firm of Reimann and Georger, Inc., 1849 Harlem Road, petitioned this Town Board to support the relocation of the East Service Road to a more westerly location, AND

WHEREAS, such relocation is also in the best interest of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board petitions the New York State Department of Transportation to relocate said East Service Road further to the east, and BE IT FURTHER

RESOLVED that the property determined surplus as a result of this relocation be abandoned by the New York State Department of Transportation and transferred to Town of Cheektowaga ownership, and BE IT FURTHER

RESOLVED that a copy of this resolution be sent to D.H. Ketchum, Regional Director of the Buffalo Region, N.Y.S.-D.O.T. and to J.E. Collison, Director, Real Estate Division, N.Y.S.-D.O.T.

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

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

WHEREAS, the Town of Cheektowaga, in its desire to provide sanitary sewer service to the northeast sector of the Town, applied for and received a Federal grant for the construction of collector sewers for said northeast area, identified as Sanitary Sewer District No. 8, AND

WHEREAS, the Town entered into an agreement with the consulting engineering firm of Nussbaumer & Clarke, Inc. dated March 7, 1977, to provide services for the design and construction of collector sewers and appurtenances for Sanitary Sewer District No. 8, which will be funded under a State - Federal construction grant, C-36-323, AND

WHEREAS, the agreement with said consulting engineers provides for renegotiation of the engineering fees for services during construction, if construction contracts are not awarded by January, 1978, AND

WHEREAS, a previous addendum dated June 18, 1979 to the March 7, 1977 agreement concerning the renegotiation of engineering fees is hereby suspended as a result of delays incurred in the award of construction contracts, AND

WHEREAS, the United States Environmental Protection Agency, in their letter of December 5, 1978 to Nussbaumer & Clarke, Inc., upon completion of their audit, has determined that the rates proposed by Nussbaumer and Clarke, Inc. were found reasonable and acceptable, AND

WHEREAS, Nussbaumer & Clarke, Inc. requests updating of the agreement to reflect the increasing rates associated with the Sanitary Sewer District No. 8 Project, NOW, THEREFORE, BE IT

RESOLVED that the addendum to the engineering agreement, as prepared by Nussbaumer & Clarke, Inc. and dated June 23, 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 said Sanitary Sewer District No. 8, and BE IT FURTHER

Item No. 38 Cont'd.

RESOLVED, that three (3) certified copies of this resolution be submitted to the New York State Department of Environmental Conservation, Albany, New York.

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 Wegner

WHEREAS, emergency sanitary sewer repairs were required at:

2220 & 2240 George Urban Blvd.	-	Sanitary	Sewer	Dist. #7
Starcrest & Cedargrove Circle	-	Sanitary	Sewer	Dist. #5
81 Homesgarth Road	-	"	"	"
12 Westchester Drive	-	"	"	"
21 Westchester Drive	-	"	"	"
145 Nokomis Pkwy.	-	"	"	"
Applewood Drive & Cayuga Rd.	-	"	"	"
Genesee Street, west of Cayuga Road	-	"	"	"

which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that the vouchers of Pagels Contracting Co., Inc., 33 Homewood Road, Cheektowaga, New York 14227, in the amounts of:

$704.12 for 2220 and 2240 George Urban Blvd.
$753.56 " Starcrest & Cedargrove Circle
$704.12 " 81 Homesgarth Road
$814.46 " 12 Westchester Drive
$704.12 " 21 Westchester Drive
$704.12 " 145 Nokomis Parkway
$704.12 " Applewood Drive & Cayuga Road
$605.32 " Genesee Street, west of Cayuga Road

to repair cave-ins be approved and order paid.

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

Item No. 40 Authorization for engineering firm to prepare easement map, plans and specifications for construction of Phase I of Scajaquada Creek Tributary T-1 drainage relief.

Motion by Councilman Johnson, seconded by Councilman Burst to table this item until the next regular Town Board Meeting of Monday, July 21, 1980 at 7:00 o'clock, P.M.

Item No. 41 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board authorized the consulting firm of McFarland Johnson Engineers, Inc. to prepare a drainage study for relief of flooding in the vicinity of Scajaquada Creek Tributary T-1, AND

WHEREAS, said study was submitted to the Town Engineer on May 12, 1980, AND

WHEREAS, it is the desire of this Town Board to implement the first phase of flood relief in this Scajaquada Tributary T-1, NOW, THEREFORE, BE IT

Item No. 41 Cont'd.

RESOLVED, that the engineering firm of McFarland Johnson Engineers, Inc., 1945 Sheridan Drive, Buffalo, New York 14223 is authorized to prepare the necessary easement map and plans and specifications for the construction of Phase I and II of Scajaquada Creek Tributary T-1 drainage relief, and BE IT FURTHER

RESOLVED, that the retainer fee to be charged and the scope of services to be provided shall be in accordance with the proposal submitted by McFarland Johnson Engineers, Inc. in their letter of June 5, 1980 to the Town Engineer, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to sign said agreement on behalf of this Town Board.

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

Item No. 42 Retain McFarland Johnson Engineers, Inc. to prepare plans and specifications for Beach Road Storm Sewer Extension.
Item Withdrawn.

Item No. 43 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, there is need for a drainage system along Beach Road to relieve flooding conditions along Beach Road and Town roads tributary to same, AND

WHEREAS, it is advisable to complete plans and specifications for the construction of storm sewers from Maryvale Drive to Yeager Drive in preparation for possible funding under a Federal Works Program or through Community Development Block Grant Funding, NOW, THEREFORE, BE IT

RESOLVED, that the consulting firm of McFarland-Johnson Engineers, Inc. be and hereby are authorized to prepare plans and specifications for the Beach Road storm sewer from Maryvale Drive to Yeager Drive, and BE IT FURTHER

RESOLVED, that the proposal of McFarland-Johnson Engineers, Inc., as outlined with the letter of July 3, 1980 to the Town Engineer be accepted, and BE IT FURTHER

RESOLVED, that the Supervisor on behalf of this Town Board is directed and authorized to sign said agreement with McFarland-Johnson Engineers, Inc. on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the cost of said engineering services shall be charged against the Community Development Block Grant Account for the Beach Road Target Area.

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 Johnson

WHEREAS, a sanitary sewer exists from Wilshire Road to Beach Road through property owned by Mr. Harold Bauman and Wife of , AND

WHEREAS, no easement to the Town of Cheektowaga is recorded at the County Clerk's Office for the area of the sanitary sewer, AND

WHEREAS, it is advisable to acquire said easement for proper sewer maintenance, AND

Item No. 44 Cont'd.

WHEREAS, the engineering firm of Nussbaumer and Clarke, Inc., has completed an easement description and map of the 20' x 391' easement at the direction of the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that Henry Szymanski of Buffalo, New York 14211, be and hereby is appointed to obtain the necessary easement, and BE IT FURTHER

RESOLVED that said Henry Szymanski be paid the sum of $75.00 for obtaining said easement.

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

Item No. 45 Motion by Supervisor Meyers, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga is presently engaged in a storm sewer project known as the Chapel-Northcrest-Southcrest Drainage Project; which project is designed to curtail basement flooding, rear and side yard flooding, and street flooding, as well as reducing sanitary sewer infiltration by storm waters, and

WHEREAS, in pursuance of the aforesaid public project, the Town has commenced a proceeding under the Eminent Domain Procedure Law against Arthur M. Wall and Korleen Wall, his wife, for the purpose of acquiring an easement in a portion of the real property owned by the Walls and located at No. 70 Northcrest Avenue, Cheektowaga, New York, and

WHEREAS, the owners of the said real property have heretofore contested the Town's eminent domain proceeding on the grounds, inter alia, that the easement sought was alongside their home and would endanger the underpinings of such dwelling, and

WHEREAS, the Town has agreed to relocate said easement, as is shown on a map made by McFarland-Johnson Engineers, Inc., and

WHEREAS, it is now necessary to obtain an appraisal of the said relocated easement, NOW, THEREFORE, BE IT

RESOLVED that Mr. Robert C. Laport with an office at No. 227 Statler Building, Buffalo, New York, be and he hereby is retained to appraise the relocated easement sought by the Town on the real property owned by Arthur M. Wall and Korleen Wall, his wife, at Cheektowaga, New York, and BE IT FURTHER

RESOLVED that Mr. Robert C. Laport be paid a reasonable fee for his services to the Town in this matter, such fee not to exceed the sum of $400.00.

*See next few pages for copy of Easement Agreement.

Rec'd July 8, 1980

EASEMENT AGREEMENT

THIS AGREEMENT made and entered into as of the 17th day of June, 1980, by and between the TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK, a domestic municipal corporation having its principal place of business at Broadway and Union Road, Cheektowaga, New York, hereinafter referred to as the Town,

and

ARTHUR M. WALL and KORLEEN WALL, his wife , both residing at No. , Town of Cheektowaga, in the County of Erie and State of New York, hereinafter referred to collectively as the Owners.

RECEIVED
JUL 9 - 1980
Richard M. Moleski, Town Clerk

W I T N E S S E T H :

WHEREAS, the Owners are the record owners of certain real property located on the north side of Northcrest Avenue in the U-Crest area of the Town of Cheektowaga, New York, which property is 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 No. 12, Township 11, Range 7 of the Holland Land Company's Survey, and further being known as a portion of Lots 233 and 234

RECEIVED
$ EXEMPT
REAL ESTATE
JUL 1 1980
TRANSFER TAX
ERIE
23975 COUNTY

LIBER 8920 PAGE 597

on Map Cover 1205, U-Crest Terrace, and described as follows:

COMMENCING on the northerly boundary of Northcrest Avenue at its intersection with the division line between the property of Arthur M. Wall and Jeanne M. Wall (reputed owners) on the west and the property of Bernard T. Reeb and Marjorie M. Reeb (reputed owners) on the east; thence northerly along said boundary 127± feet to a point on the division line between Arthur M. Wall and Jeanne M. Wall, reputed owners, on the south and John J. Gangloff and Sandra J. Gangloff, reputed owners, on the north; thence westerly continuing along said division line extended, 70± feet to a point; thence southerly and parallel to the first above mentioned line 127± feet to a point and the northerly boundary of Northcrest Avenue; thence easterly along the northerly boundary of Northcrest Avenue to the point or place of beginning.

WHEREAS, the Town has commenced a proceeding against the Owners pursuant to applicable law in order to acquire an easement in a portion of the real property of the Owners in furtherance of a public project known as the Chapel-Northcrest-Southcrest Drainage Project, and

WHEREAS, the Owners have heretofore contested the Town's eminent domain proceeding on the grounds, inter alia, that the easement sought to be acquired for a storm

sewer was to be placed alongside Owners' home and thus endanger by virtue of the intended excavation, the underpinings of said home, and

WHEREAS, the Town has agreed to relocate said easement parallel to and coincident with the Owners' sideline boundary, as more particularly shown on the attached drawing Schedule "B", and

WHEREAS, the Town has made an offer to the Owners in the amount of $450.00 for the said easement to be acquired for the said public project; and

WHEREAS, the Owners have rejected such offer as inadequate compensation, and have elected instead to accept the amount offered as an advance payment as provided in Section 304 of the Eminent Domain Procedure Law; and

WHEREAS, the Town and the Owners are in substantial agreement that time is of the essence in formulating plans, obtaining and awarding bids, acquiring the necessary project lands and completing all necessary construction work, without the necessity of further formal proceedings by the Town for an order of acquisition,

NOW, THEREFORE,

In consideration of the mutual covenants and agreements herein contained, the parties hereby agree as follows:

1. The Owners hereby grant to the Town a permanent easement, including the grant to it, its agents, servants and/or employees, of the right of ingress and egress to, and entry upon, that portion of their real property designated as Easement in the description, Schedule "A" annexed hereto, and designated on the map, Schedule "B" annexed hereto, and both made a part hereof, for the purpose of constructing, reconstructing, maintaining, servicing and removing a certain drainage pipe line hereinafter referred to as the project.

2. The Owners hereby convey to the Town said permanent easement free and clear of all liens and encumbrances in that portion of the Owners' real property described in the attached Schedule "A", required for the aforementioned project.

3. The Town will construct at its expense the said project and the Town shall be solely responsible for all maintenance and upkeep of the project. The Town shall hold the Owners free from harm and indemnify them from liability which might arise from the construction.

4. At the time that the Town takes possession of the said easement, it shall pay to the Owners $450.00, without prejudice however, to the Owners' right to a determination by the Court of the fair market value of the property, pursuant to the applicable provisions of the Eminent Domain Procedures Act.

IN WITNESS WHEREOF, the parties have signed and acknowledged this instrument the day, date and year first above written.

Arthur M. Wall

Korleen Wall

TOWN OF CHEEKTOWAGA

By Kenneth J Meyer

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

On this 17th day of June, 1980 before me personally appeared ARTHUR M. WALL to me known, and known to me to be the same person described in and who executed the within instrument and he acknowledged to me that he executed the same.

ROBERT S. WEINSTEIN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK)
COUNTY OF ERIE) SS.

On this 17th day of June, 1980 before me personally appeared KORLEEN WALL to me known, and known to me to be the same person described in and who executed the within instrument and she acknowledged to me that she executed the same.

ROBERT S. WEINSTEIN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

STATE OF NEW YORK)
COUNTY OF ERIE)

On this 24th day of June, 1980, before me personally came KENNETH J. MEYERS to me known, who being by me duly sworn did depose and say he resides in Erie County, New York; that he is the Supervisor of the Town of Cheektowaga, New York, the municipal corporation described in and which executed the above instrument, that he knows the seal of said municipal corporation; the seal affixed to said instrument is such corporate seal; it was so affixed by order of the Town Board, and that he signed his name thereto by like order.

JAMES J. KIRISITS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1982

DESCRIPTION OF EASEMENT TO BE CONVEYED

By

ARTHUR M. WALL

To

THE TOWN OF CHEEKTOWAGA

A permanent easement to be exercised in, on and over the property hereinafter described for the purpose of constructing and maintaining a storm sewer and appurtenances, in and to all that piece or parcel of property 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, and further being known as a portion of Lots 233 and 234 on Map Cover 1205, U-Crest Terrace, and described as follows:

Commencing on the northerly boundary of Northcrest Avenue at its intersection with the division line between the property of Arthur M. Wall (Reputed Owner) on the west and the property of Bernard T. Reeb and Marjorie M. Reeb (Reputed Owners) on the east; thence northerly along said boundary, 127.1 feet ± to a point on the division line between Arthur M. Wall (Reputed Owner) on the south and John J. Gangloff and Sandra J. Gangloff (Reputed Owners) on the north; thence westerly continuing along said division line 25.5 feet ± to a point on the division line between Arthur M. Wall (Reputed Owner) and Ross J. Korhummel (reputed Owner) on the north; thence southerly along a S 3° - 05' E course, 10.0 feet ± to a point, thence southerly along a S 25° - 05' E course, 27.5 feet ± to a point; thence along a S 3° - 05' E course, 95 feet ± to a point on the northerly boundary of Northcrest Avenue; thence easterly, along said boundary, 9.0 feet ± to the point of commencing; being 1,806 square feet more or less.

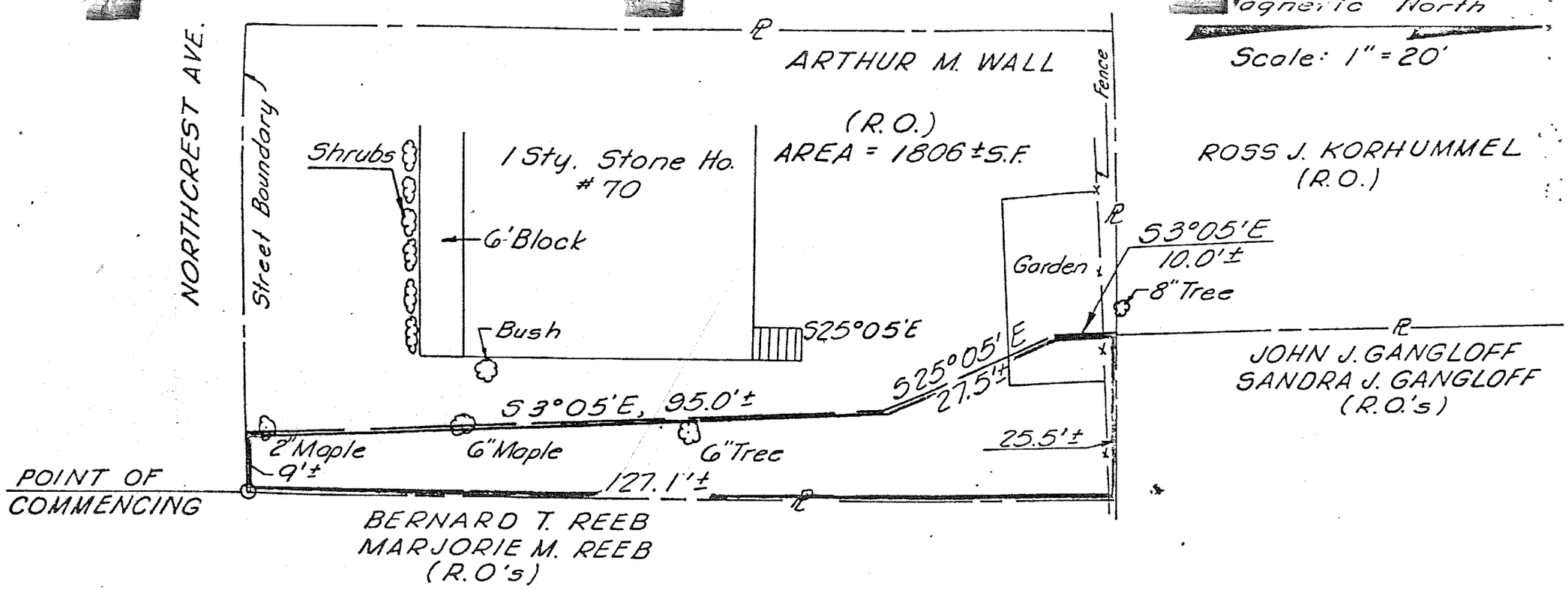
Said permanent easement being irregular in shape and centered on the sewer line.

The grantor grants the permanent easement to the Town of Cheektowaga with the understanding that the existing trees (a 2-inch maple, a 6-inch maple and a 6-inch tree(undescribed), adjacent to the easterly boundary line of the property of Arthur M. Wall (Reputed Owner) shall not be disturbed nor any of the limbs removed.

The grantor also grants to the Town of Cheektowaga a temporary easement, not to exceed 10 feet in width, immediately adjacent to the permanent easement, for the use of the Contractor as a work and storage area. At the conclusion of the work, the area covered by the temporary easement shall be returned to its original condition.

LIBER 8920 PAGE 603

SCHEDULE "A"



LIBER 8920 PAGE 604

SCHEDULE "B"

PROFESSIONAL ENGINEER & LAND SURVEYOR
MUNROE G. TARBELL
12-25
7/30/76
STATE OF NEW YORK

WARNING: IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR TO ALTER, IN ANY WAY, ANY PLANS, SPECIFICATIONS, PLATS OR REPORTS TO WHICH THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR HAS BEEN APPLIED.

MAP OF EASEMENT TO BE CONVEYED BY

ARTHUR M. WALL

TO THE TOWN OF CHEEKTOWAGA

McFARLAND-JOHNSON ENGINEERS, INC. BUFFALO, NEW YORK

Box 208 (EE)

EASEMENT AGREEMENT

By and Between

TOWN OF CHEEKTOWAGA

and 140

ARTHUR M. WALL and
KATHLEEN WALL

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 8920 Page 597
of Deeds
on the 1 day of July
A. D., 1980, at 12:45 o'clock P M
and examined.

Genevieve M. Stanciak
County Clerk

LIPSITZ, GREEN, FAHRINGER, ROLL, SCHULLER & JAMES
ATTORNEYS AT LAW
ONE NIAGARA SQUARE
BUFFALO, NEW YORK 14202
(716) 849-1333

7-28-80-36

David F. Williamson ... lishers, Buffalo, N. Y.

RECEIVED
JUL 9 - 1980
Richard M. Moleski, Town Clerk

LIBER 8920 PAGE 605

LIPSITZ, GREEN, FAHRINGER, ROLL, SCHULLER & JAMES
ATTORNEYS AT LAW
ONE NIAGARA SQUARE • BUFFALO, NEW YORK 14202
(716) 849-1333

JUL 1 12 45 P 80
FILED
ERIE COUNTY
CLERK'S OFFICE

Item No. 45 Cont'd.

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

Item No. 46 Motion by Councilman Johnson, seconded by Councilman Burst

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, including sewer system rehabilitation, AND

WHEREAS, a Step III Grant Application for sewer rehabilitation, Phase I, in the Sewer District No. 5 Service Area has been approved by the New York State Department of Environmental Conservation and is under United States Environmental Protection review, AND

WHEREAS, prior to the installation of the Northeast Interceptor, many sewers in Sewer District No. 7 were frequently surcharged and, therefore, not investigated during the Phase I Sewer System Evaluation Survey, (SSES), AND

WHEREAS, the Northeast Interceptor serving Sewer District No. 7 was activated in November, 1979, AND

WHEREAS, an investigation of the Northeast Interceptor effectiveness and the Phase I SSES confirm the existence of substantial infiltration and inflow to the District No. 7 sewers which is still causing localized surcharging during wet weather periods, AND

WHEREAS, engineering services are required to assemble data necessary to secure Federal funds in order to initiate a Step I Sewer System Evaluation Survey in the District No. 7 service area to identify sites for Phase II Sewer Rehabilitation, AND

WHEREAS, Nussbaumer and Clarke, Inc. has been found to be qualified to perform the required services, NOW, THEREFORE, BE IT

RESOLVED, that Nussbaumer and 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 I Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the agreement with Nussbaumer and Clarke, Inc. for Step I engineering services after approval of this Town application by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency.

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 Wegner

WHEREAS, the Town of Cheektowaga is presently participating in a State and Federal Construction Grants Program to abate pollution in the Cheektowaga Sanitary Sewer District No. 5 Service Area, including sewer system rehabilitation, AND

WHEREAS, the Sewer District No. 5 sewers are subject to substantial infiltration/inflow during wet weather, AND

WHEREAS, the infiltration/inflow causes sewer overflows to Scajaquada Creek during wet weather, AND

WHEREAS, the sewer system rehabilitation proposed for Sewer District

Item No. 47 Cont'd.

No. 5 and Sewer District No. 7 will reduce, but not eliminate overflows from the system, AND

WHEREAS, the Wastewater Facilities Report Addendum (January 1976) by Nussbaumer and Clarke, Inc. was accepted by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency, and proposed an excess flow management facility at the current Cheektowaga Sewer District No. 5 Treatment Plant site, AND

WHEREAS, facilities to replace the existing Sewer District No. 5 Treatment Plant are scheduled to be fully operable by January, 1982, allowing for the demolition of Sewer District No. 5 Treatment Plant, AND

WHEREAS, Region 9, New York State Department of Environmental Conservation has determined that pollution of Scajaquada Creek from overflows now occurring warrants interim treatment at the Sewer District No. 5 Treatment Plant site until full treatment can be provided, AND

WHEREAS, engineering services are required to assemble data necessary to secure Federal Funds in order to initiate preparation of plans and specifications for the interim treatment facility, AND

WHEREAS, Nussbaumer and Clarke, Inc. Consulting Engineers, has been found to be qualified to perform the required services, NOW, THEREFORE, BE IT

RESOLVED, that Nussbaumer and Clarke, Inc. Consulting Engineers, are hereby retained to furnish the necessary engineering services of an application on behalf of the Town for a Step II Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the application on behalf of the Town for said Step II Grant, and BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign the agreement with Nussbaumer and Clarke, Inc. for engineering services after approval of this Town application by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency.

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

Item No. 48 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the Town of Cheektowaga has previously approved Bonding authorizations for construction projects in Sanitary Sewer District Nos. 5 and 8, and

WHEREAS, contracts have been awarded and active construction activity is now taking place, and

WHEREAS, an immediate cash flow requirement to support this activity exists, NOW, THEREFORE, BE IT

RESOLVED, that Percival G. Bixby and Company, Certified Public Accountants, be authorized to prepare the necessary notice of sale, Official Statement Prospectus and coordinate the closing transaction at a fee based upon standard rates not to exceed $4,600.00 chargeable to the two Capital Projects.

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

Item No. 49 Motion by Supervisor Meyers, seconded by Councilman Wegner

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, Mr. Ernest A. Holfoth, CPCU, ARM, have evaluated proposals for loss control services, which services it is anticipated will result in improved loss control under the adopted self-insurance program, NOW, THEREFORE, BE IT

RESOLVED that Aetna Technical Services, Inc. (called AETNATEC) be and hereby is retained to provide a maximum of 60 hours of loss control services to the Town of Cheektowaga as are provided for in a Loss Control Survey Agreement, a copy of which is annexed to this Resolution, at a cost of $2,940.00, and BE IT FURTHER

RESOLVED that the cost of such services be paid from the Worker's Compensation Unallocated Insurance Budget, and BE IT FURTHER

RESOLVED, that the said Loss Control Survey Agreement be and hereby is accepted and that the Supervisor on behalf of this Town Board is directed to sign said Agreement.

*See next two (2) pages for copy of Loss Control Survey Agreement.

LOSS CONTROL SURVEY AGREEMENT

THIS AGREEMENT, executed this day by and between the TOWN OF CHEEKTOWAGA (hereinafter referred to as "CUSTOMER") and ÆTNA TECHINCAL SERVICES, INC. (hereinafter referred to as "ÆTNATEC").

W I T N E S S E T H

In consideration of the mutual covenants and promises herein contained, the parties agree as follows:

1. ÆTNATEC WILL visit the CUSTOMER'S specified location and provide sixty (60) hours of loss control service(s) to:

   a. inspect facilities, equipment and vehicles

   b. evaluate accident exposures

   c. develop recommendations to upgrade safety performance and relate these recommendations to the standards of the Occupational Safety and Health Act

   d. prepare a written report for each visit with recommendations relating to observed hazards

   e. assist in the development of Safety Training Programs for supervisory personnel

   f. develop Loss Analysis material

   g. attend and assist at safety meetings, review boards, etc., held during the scheduled visit and evaluate their effectiveness

   h. review our reports with your Key Personnel for the purpose of discussing any problems or trends that may be developing.

2. CUSTOMER agrees that ÆTNATEC is not warranting that it will discover existing or potential hazards or that the implementation of any recommendation will result in the elimination of any unsafe condition at the Customer's locations or will result in compliance with the safety standards of any state or federal statute, including the Occupational Safety and Health Act.

3. CUSTOMER agrees that ÆTNATEC may engage the services of any person or firm to perform any of the service(s) provided for in paragraph one (1) above, all at ÆTNATEC's expense.

4. CUSTOMER will pay ÆTNATEC Two Thousand Nine Hundred Forty Dollars ($2,940.00) for the visits and services stated in paragraph one (1) above. Additional visits are available upon request and at the rate of Forty Nine Dollars ($49.00) per hour. The hourly rate includes travel, on site and report writing time.

RECEIVED
JUL 9 - 1980
Richard M. Moleski, Town Clerk

5. Special technical assistance by ÆTNATEC's Home Office personnel is available at the Customer's request for a fee of Fifty Nine Dollars ($59.00) per hour plus expenses. The hourly rate includes travel, on site and report writing time. Expenses include air fare, meals, and motel and car rental if required.

6. Billing will be made as the services are rendered and Customer agrees to pay invoices within Thirty (30) days of the invoice date.

7. The term of this Agreement is June 1, 1980 to June 1, 1981, except that this Agreement may be terminated by either party by written notice stating when not less than thirty (30) days thereafter such Agreement will terminate. The mailing of notice as aforesaid shall be sufficient proof of notice.

8. This Agreement will be effective only so long as it is not prohibited by, and the service can be lawfully performed under the laws of the state of New York.

9. It is agreed that ÆTNATEC may assign this Agreement or delegate any obligation hereunder to any subsidiary, affiliated or associated company or corporation as now or may thereafter be constituted.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by the persons authorized to act in their respective names.

Signed this 7th day of July, 1980.

TOWN OF CHEEKTOWAGA

BY Kenneth J Meyer

Supervisor
(title)

Signed this 6th day of June, 1980

ÆTNA TECHNICAL SERVICES, INC.

BY [signature]

Vice President
(title)

Item No. 49 Cont'd.

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

Item No. 50 Withdrawal of application for 34 acre parcel re: Nob-Hill Park Site.

Motion by Councilman Dux, seconded by Councilman Johnson to table this item until the next regular Town Board Meeting to be held on Monday, July 21, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

Item No. 51 Authorization for Town Planning Consultants to make a study of a 10 - 15 acre parcel for recreational use re: Nob-Hill Park.

Motion by Councilman Dux, seconded by Councilman Johnson to table this item until the next regular Town Board Meeting to be held on Monday, July 21, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

Item No. 52 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, funds are available through the Governor's Traffic Safety Committee, under the Highway Safety Act of 1966 for highway and traffic safety related programs, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has identified project areas for which grant applications may be submitted for said funding, NOW, THEREFORE, BE IT

RESOLVED, that the submission of grant applications for funding under the Highway Safety Act of 1966 be and hereby are authorized for the following project areas:

1. Traffic Safety Engineer
2. Traffic Date Gathering (Traffic recorders)
3. DWI Records Program
4. Secured Vehicle Storage Area

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

Item No. 53 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, pursuant to Chapter 369 of the Laws of 1979, the Energy Conservation Through Improved Transportation Bond Act, and Chapter 53 of the Laws of 1980, the New York State Legislature authorized and appropriated funds for a statewide Safer Local Roads and Streets Program, and

WHEREAS, pursuant to these statutes, the New York State Department of Transportation has apportioned program funds to the municipality as follows:

State Bond Funds	-	$125,521.00
Local Share	-	$ 41,840.00
Total Program	-	$167,361.00

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga shall participate in the Safer Local Roads and Streets Program, pursuant to the terms of the Bond Act, the Program Guidelines and the State-County Agreement, and BE IT FURTHER

RESOLVED that construction of the Program shall be by municipal

Item No. 53 Cont'd.

forces or by competitive bid letting, with oversight by the County Superintendent, and BE IT FURTHER

RESOLVED that the municipality shall participate in the costs of the Program, with 75% reimbursement by State bond funds; and BE IT FURTHER

RESOLVED that upon completion of the Program, the Town of Cheektowaga shall at its own expense, properly maintain the completed project(s) and that Alfred Wnek, Highway Superintendent, be and hereby is authorized to sign all project applications (TE 215).

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

Item No. 54 Motion by Councilman Rogowski, seconded by Councilman Burst

WHEREAS, Sunday, August 10, 1980 will mark the occasion of "Cheektowaga Day with the Bisons" at War Memorial Stadium, AND

WHEREAS, preceding a game on that day between the Buffalo Bisons and the Lynn Mariners, a team of Cheektowaga officials will play a preliminary slow-pitch softball game with an all-star girls team, AND

WHEREAS, the purpose of this event is to boost the Town of Cheektowaga and the American sport of baseball, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to issue a Proclamation prior to August 10th, 1980 as "Cheektowaga Day with the Bisons."

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

Item No. 55 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the Town of Cheektowaga is a participant in the Erie County Community Development Housing Rehabilitation Loan Program, AND

WHEREAS, a part of this program requires a special bank account for processing favorable loan arrangements in cooperation with the designated bank, AND

WHEREAS, the Town Planning Consultant, Stuart Alexander and Associates, has negotiated a satisfactory arrangement with M & T Bank for the administration of this program, NOW, THEREFORE, BE IT

RESOLVED that a new bank account entitled "HUD Rehab Loan Program" be opened at the M & T Bank -- Airport Plaza immediately in accordance with all applicable Town Law provisions.

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

Item No. 56 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, the National Advertising Company has requested permission to erect two advertising signs, one at the southwest corner of Walden Avenue

Item No. 56 Cont'd.
and Peppy Lane and another at Maryvale Drive (south side) 220 feet west of Harlem Road, pursuant to Article III, Section 3-01A of the Zoning Ordinance of the Town of Cheektowaga, and

WHEREAS, the applications were referred to the Building Inspector of the Town of Cheektowaga, and

WHEREAS, said Building Inspector has made a recommendation on said sign applications, NOW, THEREFORE, BE IT

RESOLVED, that the National Advertising Company be and is hereby denied permission to erect the following signs:

Walden Avenue and Peppy Lane - southwest corner

Maryvale Drive (south side) - 220 feet west of Harlem Road

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

Item No. 57 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located north of Castlewood Drive, West of Borden Road (Account No. 1-267-10), Cheektowaga, New York and according to the Assessor's Office records is owned by Kenneth Handyside, Cheektowaga, New York 14227, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 58 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 86 Davidson Drive, Cheektowaga, New York (Account No. 44-418) and according to the Assessor's Office records is owned by Borynski Construction, Inc., 395 Borden Road, West Seneca, New York 14224, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

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

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the northeast corner of Claude Drive and William Street, Cheektowaga, New York (Account No. 8-183) and according to the Assessor's Office records is owned by Stanley Kozoduj, Depew, New York 14043, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and miscellaneous debris to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 60 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the northwest corner of Wagner Avenue and William Street, Cheektowaga, New York (Account No. 8-179) and according to the Assessor's Office records is owned by Stanley Kozoduj, 1458 Como Park Boulevard, Depew, New York 14043, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and miscellaneous debris to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 61 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 43 Rosedale Drive, Cheektowaga, New York (Account No. 31-139) and according to the Assessor's Office records is owned by Kulback's Construction Co., Inc. 8445 Merrihurst Drive, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds, removing the accumulated debris and providing enclosed storage or removing the two (2) unlicensed motor vehicles to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

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

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the southeast corner of Dick Road and Barone Circle, Cheektowaga, New York (Account No. 26-485) and according to the Assessor's Office records is owned by Mr. Michael Barone c/o Mrs. Feldmeyer, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds, removing the accumulated debris and maintaining the property to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

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

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at Lots 39, 40 and 41 Wellworth Place, Cheektowaga, New York (Account No. 23-190) and according to the Assessor's Office records is owned by Dora Benderson, Buffalo, New York 14216, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 64 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 1228 Walden Avenue, Cheektowaga, New York (Account No. 4-457) and according to the Assessor's Office records is owned by Walter Czerwonka, Cheektowaga, New York 14211, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 65 Motion by Councilman Swiatek, seconded by Supervisor Meyers

BE IT RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Football Equipment for the Town of Cheektowaga Recreation Department. Informations for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 p.m., Eastern Daylight Saving Time, on July 21, 1980 for the purpose of properly opening and reading the sealed bids.

* *

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

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 21, 1980 at 7:00 P.M., Eastern Daylight Saving Time, at the Town Hall, corner of Broadway and Union Road, for football helmets.

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 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: July 7, 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. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 10, 1980; last publication July 10, 1980; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 15th

day of July, 1980.

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

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on July 21, 1980 at 7:00 p.m. Daylight Savings Time at the Town Hall, corner of Broadway and Union Road, for football helmets.

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 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

Item No. 66 Motion by Councilman Johnson, seconded by Councilman Rogowski

BE IT RESOLVED that New York State Electric and Gas Corporation is hereby authorized to install (1) - 7000 lumen mercury lamp on Castlewood Drive in the Town of Cheektowaga at an annual increase to the General Lighting District of $50.00, in accordance with the attached proposal which is hereby made a part of this resolution.

*See next page for copy of street lighting proposal.

June 12, 1980

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Castlewood Drive

Install 1 - 7000 lumen mercury lamps @ $50.00 ea. --------- $50.00
(P-69-1*, L-220)

ANNUAL INCREASE ---------- $50.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

*new pole

Item No. 66 Cont'd.

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

Item No. 67 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that funds in the amount of $3,000.00 be transferred from Account No. A.1990.480 (Contingency) to Account No. A.3510.441 (Veterinarian Service), and BE IT FURTHER

RESOLVED that funds in the amount of $822.00 be transferred from Account No. A.909 (Fund Balance) to Account No. A.1410.460 (Microfilming), and BE IT FURTHER

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

*See next two (2) pages for copies of fund transfers.

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Community Development
Department

July 3, 1980
Date

_____ Fund

FROM			TO	
Account	Title	$	Account	Title
1979-80	Cedargrove Heights	$15,500	1979-80	Planning & Management
"	Beach Road	7,500	"	Planning & Management
"	Chapel Avenue	7,500	"	Planning & Managment

Jerry J. Halczyszak
Signature

Explanation _____

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

POLICE
Department

6/27/80
Date

GENERAL Fund

FROM			TO	
Account	Title	$	Account	Title
1990.480	CONTINGENT	$1860.00	A3120.400	OFFICE AND POLICE SUPPLIES & EQUIPMENT

Signature

anation It is necessary to transfer $1860.00 from the Contingency Account to the Office and Police Supplies and Equipment Account to cover the cost of obtaining a Print-Punch Traffic Recorder and accessories as authorized by the attached resolution.

Item No. 67 Cont'd.

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

Item No. 68 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 July 7th, 1980 be and the same hereby are approved and the Supervisor is ordered to pay same.

FUND	CHECK NO.	AMOUNT
GENERAL FUND	15816-16009	$ 78,470.99
SPECIAL DISTRICT FUND	7355-7412	112,925.45
PART TOWN FUND	241-245	847.85
HIGHWAY FUND	5552-5593	24,885.67
CAPITAL FUND	339-342	267,672.49
TRUST AND AGENCY FUND	826-829	1,807.15
FEDERAL REVENUE SHARING FUND	452-473	33,994.62
DEBT SERVICE FUND	101	18.00
H.U.D.-C.D.B.G. FUND	241-245	23,728.72
		$544,350.94

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 69 Building Permits.
Approved; Received and Filed.

Item No. 70 Theodore DeFedericis, Chief of Police - Letter of commendation to Officers Richard Ryan and Craig Moriarity.
Received and Filed.

Item No. 71 Supervisor's Statement of Funds - March, April, May, 1980.
Received and Filed.

Item No. 72 Dr. Louis Vendetti, Town Health Officer, Health Report for month of June, 1980.
Received and Filed.

Item No. 73 Cheektowaga Public Library Board Minutes - May 16, 1980.
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 74 Erie County Department of Public Works - Recommendation re: Signal Permit - Dingens Street and Alaska Street.
Item referred to Honorable Members of the Town Board, Jim Kirisits-Town Attorney, Captain Lis-Police Dept. and Cheektowaga Traffic Safety Commission; received and filed.

Item No. 75 Erie County Department of Public Works - Certificate and Notice of Closing Highway: Broad Street.
Item referred to Honorable Members of the Town Board, Captain Lis-Police Department and Cheektowaga Traffic Safety Commission; received and filed.

Item No. 76 Erie County Department of Public Works - Certificate and Notice of Closing Highway: Chapel Avenue.
Item referred to Honorable Members of the Town Board, Captain Lis-Police Department and Cheektowaga Traffic Safety Commission; received and filed.

Item No. 77 Erie County Department of Public Works - Certificate and Notice of Closing Highway: Eggert Road.
Item referred to Honorable Members of the Town Board, Captain Lis-Police Department and Cheektowaga Traffic Safety Commission; received and filed.

Item No. 78 Notice of Claim - Sharon A. Nader, Individually and as Mother of Joseph E. Nader vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Ed Leak-Recreation Director, Jim Matecki-Director of Facilities Department and Town Insurance Company; received and filed.

Item No. 79 Notice of Claim - Louis C. Plecka vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Theodore DeFedericis-Chief of Police and Town Insurance Company; received and filed.

Item No. 80 Summons and Complaint - Rita Buczkowski, David Owczarczak, Katherine Nolan and Lawrence Owczarczak vs. Town of Cheektowaga.
Item referred to Supervisor Kenneth J. Meyers, Jim Kirisits-Town Attorney, Chester L. Bryan-Town Engineer and Town Insurance Company; received and filed.

Item No. 81 William P. Rogowski, Mayor, Village of Sloan - Correspondence and resolution re: Cooperation Agreement pursuant to Housing and Community Development Act of 1974.
Item referred to Honorable Members of the Town Board and Jim Kirisits-Town Attorney; received and filed.

Item No. 82 Doyle Hose Company No. 2 - Communication re: Widening of Rossler Street and bridge approach.
Item referred to Honorable Members of the Town Board, Alfred Wnek-Highway Superintendent and Cheektowaga Traffic Safety Commission; received and filed.

Item No. 83 Petition from Residents of Nagel, Nassau, Zoerb and Nantucket re: Lowering assessed valuation of real property.
Item referred to Honorable Members of the Town Board and Andrew Schwenk-Sole Assessor; received and filed.

Item No. 84 Walter Mroz, - Request to speak re: Flooding and Building problem.

Item referred to Ronald Marten-Building and Plumbing Inspector and Chester L. Bryan-Town Engineer; received and filed.

Item No. 85 Louis Baran, - Request to speak re: Sewer and Flooding problems on Goering Avenue.

Item referred to Honorable Members of the Town Board; received and filed.

Item No. 86 John Michalik, - Correspondence re: Clean up of property on Tamark Court.

Item referred to Honorable Members of the Town Board and Ronald Marten-Building and Plumbing Inspector; received and filed.

VI. FROM THE TABLE

Item No. 87 Retain Jerome V. Biedny, Architect, to prepare plans and specifications for Police and Court Building Renovations.

Motion by Supervisor Meyers, seconded by Councilman Rogowski

WHEREAS, there is need for renovation of the Police and Court Building to provide for changes in operating methods and to provide more usable space as required by increased police and court activities, NOW, THEREFORE, BE IT

RESOLVED that Jerome V. Biedny, Architect, be and hereby is authorized to prepare plans and specifications for said Police and Court Building renovations in accordance with the proposal of Jerome V. Biedny in his letters of May 9 and May 15, 1980 to the Town Engineer.

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

* * * * * * * * * * * * * * * * * * * *

Motion by Councilman Johnson, seconded by Councilman Swiatek to Waive 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

* * * * * * * * * * * * * * * * * * * *

VII. SUSPENSION OF RULES

Item No. 88 Town of Cheektowaga approval of Amended Order on Consent for Sanitary Sewer District No. 7.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, a sanitary sewer moratorium was imposed in the Town's Sanitary Sewer District No. 7 since April 10, 1973 by the Commissioner of Health of the County of Erie because of overloaded sanitary sewers, AND

WHEREAS, the Town of Cheektowaga has taken positive steps toward relief of sanitary sewer problems so as to reduce basement flooding, which capital construction programs included the Northeast Interceptor Sewer, AND

Item No. 88 Cont'd.

WHEREAS, a Northeast Interceptor Effectiveness Study was made by the consulting firm of Nussbaumer and Clarke, Inc., which study indicated that capacities are available in several trunk sewers in Sanitary Sewer District No. 7, AND

WHEREAS, the Commissioner of Environment and Planning of the County of Erie has submitted an Amended Order on Consent for Sanitary Sewer District No. 7, which Order permits a controlled number of sewer tap-ins, NOW, THEREFORE, BE IT

RESOLVED that this Town Board accepts the Commissioner's Amended Order on Consent for Sanitary Sewer District No. 7, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to sign said Amended Order on Consent on behalf of this Town Board, acting as the Board of Managers of Sanitary Sewer District No. 7.

*See next four (4) pages for copy of Amended Order on Consent.

COUNTY OF ERIE: DEPARTMENT OF ENVIRONMENT AND PLANNING

In the Matter of Findings of the Commissioner of Environment and Planning Pursuant to Article IV-A of the Erie County Environmental Quality Code in Cheektowaga Sewer District No. 7 and Tributary Districts.

AMENDED ORDER ON CONSENT

DETERMINATION OF THE COMMISSIONER OF ENVIRONMENT AND PLANNING OF THE COUNTY OF ERIE:

A determination having been made with specific conditions relative to the Town of Cheektowaga Sewer District No. 7 sanitary sewer systems have changed since the Order was issued by the Commissioner of Environmental Quality on December 3, 1975 and amended on August 13, 1976, and as stated in the Report of Findings made June 18, 1980.

NOW THEREFORE, by virtue of the authority vested in me as Commissioner of Environment and Planning of the County of Erie,

I DO HEREBY ORDER AND DIRECT:

THAT all existing holding tanks and septic systems immediately tributary to the trunk sewers on Genesee Street, George Urban Boulevard, Walden Avenue, and the west side of Union Road, as well as those tributary to the sewers on McKesson Parkway, may be tied into said sewers immediately.

THAT a total of 75 new tap-in equivalents will be allowed within Cheektowaga Sewer District No. 7 during the six (6) months beginning on the effective date of this Order. Said tap-ins are in addition to the aforementioned holding tanks and septic systems and are limited to direct connections into the Northeast Interceptor Sewer and/or one of the aforementioned sewers.

THAT after the initial six (6) months, fifty (50) new tap-in equivalents per six (6) month period will be allowed, provided that such tap-ins are limited to direct connections into the Northeast Interceptor and/or one of the aforementioned sewers. From the allotment of fifty (50) tap-in equivalents per six (6) months, the Town of Cheektowaga will be allowed five (5) five tap-in equivalents per six (6) month period, anywhere within Cheektowaga Sewer District No. 7, for the relief of hardship cases. The Town of Cheektowaga shall determine which are hardship cases.

THAT the respondent shall not permit tap-ins without submitting semi-annual reports commencing on December 31, 1980, of all actual inflow/infiltration work completed, anticipated inflow/infiltration removal projects and a summary of all construction grant projects status affecting sewage flows within the District.

RECEIVED
JUL 11 1980
Richard M. Moleski, Town Clerk

THAT the Town of Cheektowaga shall monitor and report to the Erie County Department of Environment and Planning on a monthly basis the duration, dates and volumes of all overflows and bypasses in the Town of Cheektowaga Sewer District No. 7 and from all points in the Northeast Interceptor Sewer.

This Order supersedes the previous Order for said District dated August 13, 1976.

Dated: Buffalo, New York
July 7, 1980

JOAN E. LORING
Commissioner of Environment and Planning

TO: TOWN OF CHEEKTOWAGA
Town Hall, Broadway and Union Road
Cheektowaga, New York 14227

CHEEKTOWAGA TOWN BOARD
Town Hall, Broadway and Union Road
Cheektowaga, New York 14227

KENNETH J. MEYERS, SUPERVISOR
Town of Cheektowaga
Town Hall, Broadway and Union Road
Cheektowaga, New York 14227

COUNTY OF ERIE: DEPARTMENT OF ENVIRONMENT AND PLANNING

In the Matter of Findings of the Commissioner of Environment and Planning Pursuant to Article IV-A of the Erie County Environmental Quality Code in Cheektowaga Sewer District No. 7 and Tributary Districts

AMENDED REPORT OF FINDINGS

DETERMINATION OF THE COMMISSIONER OF ENVIRONMENT AND PLANNING OF THE COUNTY OF ERIE:

Pursuant to the Report of Findings issued by the Commissioner of Health and Amended Reports of Findings of October 11, 1974 and November 21, 1975 and the Amended Report of Findings of the Commissioner of Environmental Quality dated August 13, 1976, the Commissioner of Environment and Planning now amends those findings as follows:

1. The overflow of sewage within Cheektowaga Sewer District No. 7 has been relocated to the terminus of the now completed Northeast Interceptor sewer where wet weather bypassing continues.

2. Wet weather bypassing of sewage and sanitary sewer backups have been eliminated along specific trunk sewers including Genesee Street, Walden Avenue, George Urban Boulevard, the west side of Union Road and McKesson Parkway.

3. Capacity exists along the trunk sewers cited to allow connection of facilities served by existing holding tanks and septic systems immediately tributary to these trunk sewers, and to allow connection of additional facilities at the rate of 75 in the next six (6) months and 50 connections in each six (6) month period thereafter.

4. Further actual reduction in sewer backups and overflows via remedial work under State and Federal construction grants will not be realized until 1982.

5. Progress is continuing to develop and implement a plan to further eliminate discharges within Cheektowaga Sewer District No. 7 in conformity with Section 6, Article IV-A, Erie County Environmental Quality Code.

Dated: Buffalo, New York
July 7, 1980

JOAN E. LORING
Commissioner of Environment and Planning
of the County of Erie

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering into the foregoing Order, waives its right to a hearing thereon as provided by law, and agrees to be bound by the provisions, terms, and conditions contained therein.

Dated: Cheektowaga, New York
July 8, 1980

Town Board of Cheektowaga

By: Kenneth J. Meyers
Supervisor

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS.
COUNTY OF ERIE)

On this 8th day of July, 1980, before me personally came Kenneth J. Meyers, to me known, who being by me duly sworn, did depose and say that he resides at Cheektowaga, County of Erie and State of New York, and that he is the Supervisor of the Town Board of Cheektowaga, described in and which executed the foregoing instrument, and that he signed his name as authorized.

Jean A. Rosenberry
Notary Public: State of New York
Qualified in Erie County

JEAN A. ROSENBERRY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

Item No. 88 Cont'd.

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

Item No. 89 Resolution re: Sewer tap-ins in Sanitary Sewer District No. 7.

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, this Town Board, as Board of Managers of Sanitary Sewer District No. 7, is entering into an agreement with the Commissioner of the Department of Environment and Planning of the County of Erie on an Amended Order on Consent, which agreement allows the Town to permit sanitary sewer tap-ins, AND

WHEREAS, this Town Board, as Board of Managers of Sanitary Sewer District No. 7 established a list of priorities to be used in the allocation of tap-ins whenever such tap-ins are made available to this sanitary sewer district, and which priorities were established in the Town Board resolution of July 17, 1978, NOW, THEREFORE, BE IT

RESOLVED that as soon as the Commissioner's Amended Order on Consent is effective, sewer tap-ins will be issued in accordance with the priorities established in the Town Board resolution of July 17, 1978 and the newly adopted Commissioner's Order on Consent.

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

Item No. 90 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

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

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
2.	Smith Street-Chapel Avenue Drainage and Chapel Avenue Reconstruction, Phase I	1
3.	Recreation - Football Helmets	1
	Meeting No. 19 - August 4, 1980	
2.	Chapel Avenue Reconstruction - Phase II	1
3.	Recreation Department - Football Helmets	1
	Meeting No. 21 - August 18, 1980	
2.	Recreation Department - Football Helmets	1

* * * * * * * * * * * * * * * * *

PUBLIC HEARINGS

* * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
4.	Amendment to Traffic Ordinance - Article VIII "Stop & Yield Intersections" - Barbados Drive	1-2
	Meeting No. 19 - August 4, 1980	
4.	Amendment to Traffic Ordinance - Article XIII: "Truck Exclusions" (Ellen Drive, Montfort Drive, Terry Lane, Redleaf Lane, White Road)	1-2
	Meeting No. 21 - August 18, 1980	
3a.	Rezoning of Northeast Quadrant of the intersection of William St. and Union Roads from M2-General Manufacturing District to RC-Restricted Business District.	1
3b.	Amendment to Traffic Ordinance - Art. VIII "Stop and Yield Intersections" and Article XIII "Truck Exclusions" - Various Streets	1-2
3c.	Amendment to Traffic Ordinance - Article X "Parking, Standing, Stopping" - Various Streets	2-3

* * * * * * * * * * *

R E S O L U T I O N S

* * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
5.	Call for public hearing for amendment to T.O. - Article XIII -"Truck Exclusions" - ELLEN DRIVE, MONTFORT DRIVE, TERRY LANE, REDLEAF LANE, WHITE ROAD	2
6.	Call for public hearing to amend the Zoning Ordinance regarding property located at the northeast quadrant of the intersection of William and Union Roads.	3
7.	Decision on Rezoning - 2910-2928 William Street	4
8.	Decision on amendment to T.O. - Art. X "Parking, Standing, and Stopping" - MARYVALE DRIVE	4-5
9.	Award of bid for Alexander Avenue Pedestrian Bridge	6-7
10.	Change Order for Cedargrove Culvert Project	7-8
11.	Reimbursement of funds on sanitary sewer repairs	8
12.	Petition E.C. Dept. of Public Works to include Madeira storm sewer crossing in Losson Road Reconstruction Project.	8
13.	Authorization for Supervisor to sign agreement for Cayuga Creek Flood Control Project	8-9
14.	Authorization for Supervisor to sign agreement with NFTA regarding Chapel Avenue reconstruction.	
15.	Authorization for Supervisor to sign documents with Niagara Mohawk for two light standards at Maryvale and Cedargrove	9
16.	Request E.C. Dept. of Public Works to stripe proposed reconstructed Losson Road to include lane for parking and bicycle use.	10-11
17.	Clean up of properties at following locations:	
	a. South side of Walden across from Ridge Park	11
	b. East side of Concord Drive	11
	c. Lots 15, 16, 17, 18, 19 & 20 on No. Pleasant Pkwy.	11-12
	d. N.E. Corner of Crandon Blvd. & Stanislaus Avenue	12
	e. East of the N.E. Corner of Crandon Blvd. & Stanislaus Avenue	12
	f. 68 Andrews Avenue	12-13
	g. 1099 George Urban Blvd.	13
	h. 1035 George Urban Blvd.	13
	i. N.E. Corner of Borden Road and Bory Drive	13-14
18.	Appointment of Councilman Rogowski as Designee on E.C. Solid Waste Steering Committee	14
19.	Hiring of Hometown Beautification	14
20.	Hiring of park attendant in Recreation, and pay differential for employee	14
21.	Hiring of Clerk-Typist under C.E.T.A., Title IID	15
22.	Appointment of Working Foreman in the Facilities Department	15
23.	Appointment to position of Clerk-Typist in Building Inspector's Office.	15
24.	Military leave of absence for Police Officer	15
25.	Authorization for Town Clerk to go to N.Y.C. for bond closing.	16

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

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
26.	Authorization for Town Engineer to make inspection trip to Ticonderoga, N.Y., Wastewater Treatment Plant	16
27.	Retain firm to prepare short-term development strategy for Stiglmeier Park	16-17
28.	Warrant list.	17-18
	Meeting No. 19 - August 4, 1980	
5.	Decision on Rezoning - 381 Bennett Road	2
6.	Decision on Special Use Permit - 3500 Broadway	2-3
7.	Decision on Special Permit - 3519 Broadway	3
8.	Decision on Special Permit - 1585 Walden Avenue	3-5
9.	Call for Public Hearing: Amendment to Traffic Ordinance: Art. VIII, Stop and Yield Intersections (VARIOUS), and Article XIII, Truck Exclusions. (VARIOUS)	6-7
10.	Call for Public Hearing: Amendment to Traffic Ordinance: Art. X, Parking, Standing, Stopping (VARIOUS).	8-9
11.	Direct Facilities Department to relocate traffic signal from South Colby and Dingens Street to Alaska Street and Dingens Street.	10
12.	Award of bid for diesel fuel oil, motor oils, anti-freeze, etc. for Highway Department.	10-11
13.	Auth. Town Attorney's Office to draft agreement for Special Police Protection at Greater Buffalo International Airport.	11
14.	Authorize Supervisor to sign agreement with Nussbaumer and Clarke, Inc. re: Sanitary Sewer District No. 7	11-12
15.	Authorize Town of Cheektowaga to join Upstate Municipal Risk Assoc.	12
16.	Authorize the purchase of street and traffic control signs, etc.	12
17.	Request for permit to install caution-flashing signal at Dingens and Alaska Streets.	12
18.	Create position of Employment Counselor.	13
19.	Extension of Maternity Leave of Absence for employee in Justice Court.	13
20.	Military Leave of Absence for employee in Facilities Dept.	13
21.	Leave of Absence for Director of Recreation.	13-14
22.	Appointment to Temporary Position of Director of Recreation.	14
23.	Appointment to position of Clerk-Typist in Building Inspectors Off.	14
24.	Appointment of Police Officers	14
25.	Transfer of seasonal employee from Recreation Dept. to Sanitation Dept.	14
26.	Authorization for member of Traffic Safety Commission to attend Annual Convention of New York State Traffic Safety Boards.	14-15

RESOLUTIONS (Cont'd.)

NO.	ITEM	PAGE
	Meeting No. 19 - August 4, 1980	
27.	Retain McFarland-Johnson Engineers, Inc. to prepare Street Evaluation Report.	15-16
28.	Clean up of properties:	
	a. 315 Zoerb Avenue - Rescind resolution of July 7, 1980 re: same.	16
	b. Front of vacant lot east of 756 French Road.	16
	c. William Street between Starlite Avenue and Tamarck Court.	16-17
	d. Southwest corner of Slate Drive and French Road.	17
	e. 40 Glenwood Court	17
	f. North of 21 Cunard Avenue	17-18
	g. Vacant lot next to 570 French Road.	18
	h. Northwest end of Hyland Road.	18
	i. 32 Windwood Court.	18-19
	j. 25-29 Simpson Drive	19
	k. 12 Trent Square.	19
	l. 37 Glenwood Court.	19-20
	m. 45-51 Sandstone Drive.	20
29.	Authorize New York State Electric and Gas to remove and install lamps on Harlem Road and Dingens Street.	20-21
30.	Emergency sewer repairs - Sanitary Sewer Districts No. 3, 5, and 7.	21
31.	Transfer of funds.	21
32.	Warrant list.	22
	Meeting No. 21 - August 18, 1980	
4.	Decision on Rezoning: Northeast quadrant of the intersection of William St. and Union Road.	3-4
5.	Decision on Amendment to Traffic Ordinance: Art. XIII "Truck Exclusions" - ELLEN DRIVE, MONTFORT DRIVE, TERRY LANE, REDLEAF LANE, WHITE ROAD.	5
6.	Call for Public Hearing: Amendment to "Noise Ordinance of the Town of Cheektowaga - Sec. 45-1, Sub. A, and 45-2, Sub. D.	6-7
7.	Call for Public Hearing: Amendment to Zoning Ordinance of the Town of Cheektowaga - Art. XII - Adult Uses.	8-9
8.	Call for Public Hearing: Rezoning of 208 Como Park Blvd.	10
9.	Call for Public Hearing: Rezoning and special permit at 2804 Union.	11
10.	Date change for next regular Town Board Meeting.	12
11.	Sanitation Department - Termination of employee	13
12.	Appointment under C.E.T.A., Title IID.	13
13.	Appointment to position of Clerk-Typist in the Police Department.	13
14.	Appointment of Police Officers.	14
15.	Appointment of part-time Van Drivers in Department of Senior Services.	14
16.	Appointment of part-time Van Drivers in Department of Senior Services.	14
17.	Youth Bureau - appointment of part-time program director for Adapted Recreation Program for Developmentally Disabled Youth.	14

NO.	ITEM	PAGE
	Meeting No. 21 - August 18, 1980	
18.	Youth Bureau - hiring of participants for Youth Community Conservation and Improvement Project (YCCIP)	14-15
19.	Youth Bureau - Funding of Cultural Enrichment Program to be co-sponsored with Villa Maria College.	15
20.	Military leave for Police Officer.	15
21.	Extension of Leave of Absence for employee in Sanitation Dept.	16
22.	Authorize Town Attorney to attend In Rem Auction of property listed as Benbro Drive, E., Farm Lot 3, Township 11; 67' X 339" (Extension of Northcreek/Southcreek Playground).	16
23.	Approval of $50. deductible Major Medical Program for disabled retirees.	17
24.	Retain Stuart Alexander & Associates as Planning Consultant.	17
25.	Authorization of payment to Engineering Firm re: Cedargrove Heights, Phase I, Stage I, Project.	17-18
26.	Authorize Supervisor to sign bonds re: Chapel-Smith Drainage Proj.	18
27.	Adoption of Pilot Project re: Sanitary Sewer Dist. No. 7 - sewer backups and basement flooding relief.	18-19
28.	Authorize Nussbaumer & Clarke to submit Grant Amendment Application re: Sanitary Sewer Dist. No. 8	19
29.	Approval of Change Orders re: Scajaquada Creek Structure Replacement Project:	
	a. Culvert Replacements.	19-21
	b. Bridge Replacements	21-22
30.	Petition New York State Department of Transportation to remove drainage restriction into Cayuga Creek.	22
31.	Request for Erie County Water Authority to make fire hydrant repairs in Fire District No. 3	22
32.	Authorize New York State Electric and Gas to install lamps:	
	a. Install lamp on Central Blvd.	23-24
	b. Install lamp on West Sobieski Street.	24-25
33.	Emergency sewer repairs - Sanitary Sewer District No. 5	25
34.	Clean up of property located at:	
	a. Vacant lots at William St. west of Colton St.	25
	b. Northwest corner of Dick Road and North Creek Drive.	25-26
	c. Vacant lot at the east of 208 Vern Lane.	26
	d. Northeast corner of William St. and Vern Lane	26
	e. Vacant property between 2074 and 2092 Clinton St.	26-27
	f. Vacant lots - house numbers 3 and 4 Sprucewood Drive.	27
	g. Southeast corner of East Delavan and East End Avenue.	27
	h. 152 Peinkofer Drive.	27-28
	i. 31 Deer Trail.	28
35.	a. Transfer of funds.	28
	b. Transfer of funds.	29-30
36.	Warrant list.	

* *

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

* *

NO.	ITEM	PAGE
	Meeting No. 19 - August 4, 1980	
33.	Building Permits	22
	Meeting No. 21 - August 18, 1980	
37.	Edward J. Leak, Director of Recreation - Letter of Resignation.	30
38.	Dr. Louis A. Vendetti: Health Report for the month of July, 1980.	30

NO. 20

NO. 21

* *

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

* *

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
29.	Board of Fire Commissioners, Doyle Fire District #1 - Letter regarding Rossler Street Bridge.	18
30.	Notice of Claim - Alda Meccay vs. Town of Cheektowaga.	18
31.	Notice of Claim, Small claims court - Town of Cheektowaga vs. Edward Agliata.	18
32.	Resident of Losson Road regarding a flooding and building problem.	18
33.	Petition from residents of Losson Road regarding proposed Losson Road reconstruction.	18
	Meeting No. 19 - August 4, 1980	
34.	Resolution from Erie County Legislature regarding: Agreements and Contracts for Fiscal Year 1981 - C.E.T.A. Funds.	22
	Meeting No. 21 - August 18, 1980	
39.	Notice of Claim: Patricia Ersing vs. Town of Cheektowaga.	30
40.	Notice of Claim: Robert A. Pszczolkowski vs. Town of Cheektowaga.	30
41.	Notice of Claim: Mary Sciandra vs. Town of Cheektowaga.	31
42.	Notice of Claim: Joseph Wojciechowski vs. Town of Cheektowaga.	31
43.	Letter from F.N. Burt Co. (per Atty. Eugene A. Rudzinski) regarding resumption of Town's responsibility for maintenance and operation of signal at entrance to F.N. Burt on Walden Avenue.	31
44.	Letter from Walden District Taxpayers Association regarding Alexander Avenue Pedestrian Bridge.	31

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

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
34.	Authorization for engineering firm to prepare easement map, plans and specs for construction of Phase I of Scajaquada Creek Tributary T-1.	19
35.	Withdrawal of application for 34 acre parcel re: Nob Hill Park.	19
36.	Authorization for Town Planning Consultants to make study of a 10-15 acre parcel for recreational use re: Nob Hill Park.	19
	Meeting No. 19 - August 4, 1980	
35.	Appointment of Working Foreman in Facilities Department.	22
36.	Withdrawal of application for 34 acre parcel re: Nob Hill Park Site.	23
	Meeting No. 21 - August 18, 1980	
45.	Withdrawal of application for 34 acre parcel re: Nob Hill Park Site.	31

NO. 17
NO. 20
NO. 21

* * * * * * * * * * * * * * * * * * * *

SUSPENSION OF RULES

* * * * * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 17 - July 21, 1980	
37.	Clean-up of property located east of 315 Zoerb Avenue.	19-20
38.	Military leave of absence for Sanitation Department employee.	20
39.	Acceptance of Woodgate Drive	20-22
40.	Decision on change of zoning classification on William Street and Union Road.	22
41.	Hiring under C.E.T.A., Title IID	23
42.	Notice to Bidders - Chapel Avenue Reconstruction, Phase II.	23-24
43.	Readvertise for bids for Football helmets for Recreation	25
	Meeting No. 19 - August 4, 1980	
37.	Hiring of seasonal laborer in Sanitation Department.	23
38.	Call for P.H. - Rezoning at 636 French Road from R-Residential to RC- Restricted Business	23
39.	Notice to Bidders - Re-Bid Football helmets - Recreation Dept.	24
40.	Authorize Supervisor to sign bond re: Beach Road Drainage.	25
41.	Authorize Supervisor to sign Change Order for Chapel-Smith Drainage Project.	25-26
	Meeting No. 21 - August 18, 1980	
46.	Petition N.Y.S. to obtain permission from D.O.T. to conduct storm waters from hardship area into Kensington Expressway drainage system.	31-32
47.	Appointment to temporary position of Director of Recreation	32
48.	Authorization for Supervisor to appropriate funds through grant applications for C.E.T.A. Funds.	32

* *

REGULAR ADJOURNED MEETINGS

* *

NO.	ITEM	PAGE
	Meeting No. 18 - July 23, 1980	
	I. RESOLUTIONS	
2.	Award of bid for construction of Chapel-Smith Drainage Project and Chapel Avenue Reconstruction, Phase I.	1-2
	II. FROM THE TABLE	
3.	Appointment of Clerk-typist in Building Inspector's Ovvice.	3
	Meeting No. 20 - August 6, 1980	
2.	Award of bid for Chapel Avenue Reconstruction, Phase II.	1

MEETING NO. 17

CHEEKTOWAGA, NEW YORK
July 21, 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 21st day of July, 1980 at 7:00 o'clock P.M., Eastern Daylight Savings Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
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; Ron Marten, Building and Plumbing Inspector; Ed Leak, Recreation Director; Pat Staniaszak, Youth Coordinator; Dr. Louis Vendetti, Town Health Officer; George Burst, Working Foreman in Central Garage; Sal LaGreca, Assistant Manpower Program Director I; Chief of Police, Theodore DeFedericis; Chester Bryan, Town Engineer; Al Thrun, Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway Superintendent; Mary Holtz, Deputy Town Clerk.

I. BIDS

Item No. 2 Smith Street-Chapel Avenue Drainage and Chapel Avenue Reconstruction, Phase I
Referred to Chester Bryan, Town Engineer.

Item No. 3 Recreation - Football helmets
No bids were received. See Item No.43 for Re-advertisement.

II. PUBLIC HEARINGS

Item No. 4 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 VIII

Stop and Yield Intersections

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

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

Street	Direction	Entrance Street	Traffic Stops	Sign Location
BARBADOS DRIVE	East-West	PHILLIP DRIVE	Southbound	N.W. 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 Johnson, seconded by Councilman Wegner

BE IT RESOLVED that a Public Hearing on a proposed amendment to the Traffic Ordinance of the Town of Cheektowaga be held on the 4th day of August, 1980 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Roads, 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 24th day of July, 1980, said amendment being set forth in the Notice of Hearing in the CHEEKTOWAGA TIMES on the 24th day of July, 1980, said amendment being set forth in the Notice of Hearing.

* *

ARTICLE XIII

TRUCK EXCLUSIONS

Section 130. Trucks over five tons excluded

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

ELLEN DRIVE - from CAYUGA ROAD to UNION ROAD
MONTFORT DRIVE - entire length
TERRY LANE - entire length
REDLEAF LANE - entire length
WHITE ROAD - entire length

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

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

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

Gladys M. Fechter

Sworn to before me this 25th

day of July, 1981

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

NO. 18

NO. 19

NO. 20

NO. 21

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 August at 7:00 P.M., Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE XIII

TRUCK EXCLUSIONS

Section 130. Trucks over five tons excluded

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

ELLEN DRIVE - from CAYUGA ROAD to UNION ROAD

MONTFORT DRIVE - entire length

TERRY LANE - entire length

REDLEAF LANE - entire length

WHITE ROAD - entire length

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

RICHARD M. MOLESKI
Town Clerk

Item No. 6 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheekotwaga has recommended that the present zoning district classification of the real property presently owned by the Exxon Corporation and located at the northeast quadrant of the intersection of William and Union Roads in the Town of Cheektowaga be rezoned from M2-General Manufacturing District to RC-Restricted Business District, and

WHEREAS, Section 10-00, Article X of the Zoning Ordinance of the Town of Cheektowaga authorizes the Town Board, on its own motion, or on a recommendation by the Zoning Board of Appeals, or the Planning Board, to amend, supplement or repeal the regulations, provisions or boundaries of said Ordinance, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 18th day of August, 1980 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than 10 days prior to the date of said hearing.

* *

L E G A L N O T I C E

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 18th day of August, 1980 at 7:00 P.M., Eastern Daylight Saving Time of said day for the purpose of considering the recommendation of the Planning Board to Rezone from its present zoning district classification of M2-General Manufacturing District to RC-Restricted Business District the real property presently owned by the Exxon Corporation and located at the northeast quadrant of the intersection of William and Union Road, Cheektowaga, New York, and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

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 P. Rogowski
Councilman James R. Burst

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

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

Gladys M. Deckster, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 7, 1980; last publication August 7, 1980; and that no more than six days intervened between publications.

Gladys M. Deckster

Sworn to before me this 8th day of August, 1980

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 IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 18th day of August 1980, at 7:00 P.M., Eastern Daylight Saving Time of said day for the purpose of considering the recommendation of the Planning Board to rezone from its present zoning district classification of M2-General Manufacturing District to RC-Restricted Business District the real property presently owned by the Exxon Corporation and located at the northeast quadrant of the intersection of William and Union Road, Cheektowaga, New York, and amend the Zoning Map and Ordinance accordingly, pursuant to Section 10-00 of the Zoning Ordinance of the Town of Cheektowaga, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:
Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 7, 1980

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

WHEREAS, Bern-Stan-Zyg Development Corporation has applied for a rezoning from C-Retail Business District to CM-General Commercial District on property located at 2910-2928 William 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 the south thirteen (13) acres of land of the farm formerly owned by George Boothroy, dec'd, and being six hundred thirty and thirty hundredths (630.30) feet on the north and south boundaries and eight hundred ninety-eight and forty four hundredths (898.44) feet on the east and west boundaries and containing thirteen (13) acres of land which are the south thirteen acres of land of that certain piece or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number fifteen (15) Township eleven (11) and Range seven (7) of the Holland Land Company's Survey, bounded east by land deeded by Wilhelm Willink et al to Plex. Haell and Joseph Nevilien one hundred five (105) chains and sixty-one (61) links; west by land deeded by said Willink et al to Almon Luce one hundred three (103) chains and ninety-two (92) links; south by the Buffalo Creek Reservation nine (9) chains and fifty-five (55) links and northerly by the Batavia 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 7th day of July, 1980 at 6:39 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 Board has recommended denial of said rezoning because the C-Retail Business zoning is flexible enough to cover a variety of uses and, also, a CM-General Commercial zoning would be detrimental to the surrounding neighbors, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from C-Retail Business District to CM-General Commercial 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. 8 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, this Town Board duly held a public hearing on the 7th day of July, 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:

NO. 18 NO. 19 NO. 20 NO. 21

Item No. 8 cont'd

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

C. No parking here to corner

MARYVALE DRIVE	South side	from the west curb line of CAYUGA ROAD to a point two hundred feet westerly 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.

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 an affidavit of such publication 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

AFFIDAVITS - NEXT PAGE

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

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

Gladys M. Hackett

Sworn to before me this 25th

day of July, 1980

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

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 July, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Johnson

WHEREAS, this Town Board duly held a public hearing on the 7th day of July, 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 is amended by deleting therefrom the following:

C. No parking here to corner

MARYVALE DRIVE, South side, from the west curb line of CAYUGA ROAD to a point two hundred feet westerly 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.

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 an affidavit of such publication 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 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 July 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. 8, inclusive, of said book.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Item No. 9 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Notice to Bidders was duly published for the receipt of bids for the Alexander Avenue Pedestrian Bridge Replacement, which bids were duly received and opened at the Regular Town Board Meeting of July 7, 1980, and

WHEREAS, said bids were referred to the consulting firm of McFarland Johnson Engineers, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated July 16, 1980, and

WHEREAS, said report recommended that the contract for the Alexander Avenue Pedestrian Bridge be awarded to Union Concrete and Construction Corporation, 105 Center Road, West Seneca, New York 14224 for the submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of the Alexander Avenue Pedestrian Bridge, under the Bond Resolution adopted February 25, 1980 be and hereby is awarded to Union Concrete and Construction Corporation for their bid in the amount of $80,872.60, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said agreement with Union Concrete and Construction Corporation.

* 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

July 16, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

Bids were received and opened at the Regular Town Board Meeting of July 7, 1980 for the construction of the Alexander Avenue Pedestrian Bridge. Six (6) bids were received as follows:

Union Concrete & Construction Corp.	$80,872.60
Frank L. Ciminelli Construction Co., Inc.	$84,175.95
Stimm Associates, Inc.	$84,370.00
Western Construction Corp.	$86,757.00
Nichter Associates, Inc.	$98,622.85
Amherst Construction	$111,243.80

Bids were reviewed by the consulting engineering firm of McFarland Johnson Engineers, Inc. It is recommended by the consultants and ourselves that the bid be awarded to Union Concrete & Construction Corporation, 105 Center Road, West Seneca, New York 14224 for the submission of the lowest price meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 9 cont'd

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

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

WHEREAS, the Consulting Enginering firm of Nussbaumer & Clarke, Inc. have approved the following Change Order on the Cedargrove Culvert Project, and

WHEREAS, the scope of work in the Change Order is described in a letter from the Town Engineer dated July 17, 1980 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 on the Cedargrove Culvert Project, in the sum of $9,184.00 as an addition to the contract of M.C. Morgan Contractors, 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.

* 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

July 17, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Cedargrove Culvert Project
Change Order No. 1

Gentlemen:

The attached resolution is submitted for your approval of Change Order No. 1 on the Cedargrove Culvert Project under the contract with M.C. Morgan Contractors, Inc., 3690 Sheridan Drive, Amherst, New York 14221.

Change Order No. 1 - Add $9,184.00

This Change Order was recommended to relieve an existing erosion problem effecting residents along the Elkin Drive ditch line. It is proposed to extend and realign the ditch to the Niagara Mohawk Property an additional 287 feet beyond the original contract. The new ditch construction would be performed at the unit bid price of $32.00 per linear foot for a total of $9,184.00.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

BY: Steven T. Marcynski
Sr. Engineer Assistant

CLB:STM:dmr

CC: J. Gabryszak

Item No. 10 cont'd

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

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

WHEREAS, sanitary sewer repairs were necessary, with five (5) on Frederick Street, one (1) on St. Felix Avenue and one (1) on Veterans Place, as a result of the construction of storm sewers under the St. Felix Drainage Project, Phase II, which project was completed in January, 1979, and

WHEREAS, the contractors of said drainage project, Caradori Construction Company, Inc. has submitted a check in the amount of $5,920.44 to reimburse the Town for contractor costs incurred in effecting said sanitary sewer repairs, NOW, THEREFORE, BE IT

RESOLVED that the payment of $5,920.44 is accepted as reimbursement for costs incurred, with said funds to be credited to the Sanitary Sewer District No. 3 Account, and BE IT FURTHER

RESOLVED that acceptance of this payment releases Caradori Construction Company, Inc. from any further obligations under the St. Felix Drainage Project Contract.

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

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

WHEREAS, the County of Erie is planning on bidding the reconstruction of Losson Road (C.R. 21), and

WHEREAS, it would be advantageous to include piping under Losson Road for the proposed Madeira Storm Sewer Project as part of the Losson Road Reconstruction Project, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Department of Public Works is petitioned by this Town Board to include the Madeira storm sewer crossing in the Losson Road Reconstruction Project, and BE IT FURTHER

RESOLVED that payment for said crossing will be made utilizing the Town of Cheektowaga Federal Revenue Sharing Funds, and BE IT FURTHER

RESOLVED that a copy of this resolution be sent to Edward W. Umiker, P.E., Commissioner of Public Works and Kenneth L. Reitmeier, P.E., Deputy Commissioner of Highways of Erie County.

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

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

WHEREAS, construction of the Cayuga Creek Flood Control Project in the Town of Cheektowaga was authorized by Section 205 of the Federal Flood Control Act 1948, as amended, is contingent upon execution of a formal agreement for cooperation between the State of New York and the United States of America, and

WHEREAS, the execution of such agreement is necessary in order that the benefits of the Flood Control Project may be realized, and

Item No. 13 cont'd

WHEREAS, the State is authorized by Article 16 of the Environmental Conservation Law, as amended, to enter into such an agreement with the Government, and

WHEREAS, the State is prepared to enter into such an agreement, once it is received from the municipality, a formal agreement for local cooperation, NOW, THEREFORE, BE IT

RESOLVED that this Town Board directs and authorizes the Supervisor to sign the State - Local Agreement for the Cayuga Creek Flood Control Project on behalf of this Town Board.

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

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

WHEREAS, the reconstruction of Chapel Avenue requires a storage area to recycle the existing pavement and base for use as a base material for the new pavement, and

WHEREAS, the Niagara Frontier Transportation Authority is agreeable to the use of a portion of their property located on the south side of Chapel Avenue as a temporary storage area, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney is to prepare the necessary Hold Harmless Agreement required by NFTA, and BE IT FURTHER

RESOLVED that the Supervisor is authorized and directed to sign said agreement with NFTA on behalf of this Town Board.

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

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

WHEREAS, the Cedargrove Heights Neighborhood is undergoing substantial rehabilitation of both housing, sewers, streets and community amenities, and

WHEREAS, improvements at the entranceway of Cedargrove Heights at Maryvale and Cedargrove include the installation of two light standards, and

WHEREAS, Niagara Mohawk requires a signed application for service to energize said lights, and

WHEREAS, the monthly power charge for the two lights is six dollars and twenty-three cents ($6.23), NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is authorized to sign all necessary and appropriate documents to provide power to the new lights, and BE IT FURTHER

RESOLVED that the Town General Lighting District be charged for the monthly lighting cost.

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, the County of Erie is proposing to bid the reconstruction of Losson Road (C.R. 21), and

WHEREAS, this Town Board supports the reconstruction of said Losson Road so as to make it a safer highway for the general motoring public, and

WHEREAS, this Town Board is also concerned with the safety of pedestrians and bicycles that may be attracted to the Town Park of Losson Road, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Department of Public Works is requested to stripe the widened reconstructed highway into two (2) traffic lanes and a lane on each side of the road for parking and bicycle use, and BE IT FURTHER

RESOLVED that a copy of this resolution be sent to Edward W. Umiker, P.C., Commissioner of Public Works and Kenneth L. Reitmeier, P.E., Deputy Commissioner of Highways of Erie County.

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

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

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, the County of Erie is proposing to bid the reconstruction of Losson Road (C.R. 21), and

WHEREAS, this Town Board supports the reconstruction of said Losson Road so as to make it a safer highway for the general motoring public, and

WHEREAS, this Town Board is also concerned with the safety of pedestrians and bicycles that may be attracted to the Town Park on Losson Road, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Department of Public Works is requested to stripe the widened reconstructed highway into two (2) traffic lanes and a lane on each side of the road for parking and bicycle use, and BE IT FURTHER

RESOLVED that the Erie County Department of Public Works is hereby requested to provide the Town Board of the Town of Cheektowaga with a detailed review and response with respect to highway width and other concerns as presented in the attached petition of residents dated July 17, 1980, and BE IT FURTHER

RESOLVED that a copy of this resolution be sent to Edward W. Umiker, P.E., Commissioner of Public Works and Kenneth L. Reitmeier, P.E., Deputy Commissioner of Highways of Erie County.

* See next seventeen (17) pages for petition

July 17, 1980

Supervisor Kenneth J. Meyers and
Honorable Town Board Members
Town of Cheektowaga

Mr. Kenneth Reitmeier
Deputy Commissioner
Erie County Highway Department

Mr. Edward J. Rutkowski
Erie County Executive

Honorable Jack F. Kemp
Congressman, 38th District

Mr. Dennis T. Gorski, Assemblyman
New York State Assembly

Mr. Richard A. Slisz
Erie County Legislature

RECEIVED
. . 7 1980
Richard M. Moleski, Town Clerk

Gentlemen:

We, the residents of Losson Road and the surrounding community, Town of Cheektowaga, County of Erie, respectfully submit the petition(s) attached herewith containing the signatures of over three hundred (300) residents strongly opposed to the proposed reconstruction of Losson Road to a four (4) lane, forty eight (48) foot wide highway, by the Erie County Highway Department.

Our opposition to such construction is listed, but not limited to the reasons set forth below:

(1) Safety of the children walking or bicycling to Losson Park.

(2) Converting Losson Road to a four (4) lane highway is not required since there are sufficient parallel roads in the immediate proximity such as Clinton Street, French Road, Como Park Boulevard, Broadway and Walden Avenue to carry east/west traffic. It is understood that Como Park Boulevard is also slated for widening in the near future.

(3) We, the undersigned, further suggest that Losson Road be reconstructed similar to Borden Road, that is, two (2) twelve foot (12) lanes (one in each direction) with adjoining eight (8) foot parking lanes on each side, all contained within a forty (40) foot wide highway. This proposal would not only reduce the initial construction cost, but would reduce future maintenance costs and also provide a safe area for both bicycle and pedestrian traffic.

(4) The widening of Losson Road to a four (4) lane highway will encourage increased traffic volume at a higher rate of speed through a residential area. The aesthetics of the area can only be harmed with the increase of auto and truck traffic and the resulting reduction in air quality. It is questioned whether the environmental aspects under the State Environmental Quality Review Act have been considered for this proposed road widening.

At this time, we request that a Public Hearing be held to afford the residents of this community the opportunity to express all their views and opinions relating to the proposed Losson Road Widening Project. It is requested that each individual, who has signed this petition, be notified by mail of the time and location of the Public Hearing, and that it be held in the evening at a convenient location within the community.

Very truly yours,

William R. Pugh

William R. Pugh

, the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
on of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
ur lane highway is not required since there are sufficient parallel roads in the immediate
oximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
rry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
nstruction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]/80	Kenneth M. Krys, Esq.	Cheek. NY
-27-80	[illegible]	Depew N.Y.
-27-80	Mollie Di Bease	Depew N.Y.
-27-80	Dolores T. Goble	Depew N.Y.
-27-80	Gail Beers	Depew
-27-80	Charlene Krause	Depew
27-80	Walter A. Sroka	DEPEW
27/80	Irene Murray	Depew
27/80	Patricia Swantek	Depew
27/80	Mary Lou Miller	Depew
27/80	Rhonda Kutas	Depew
[redacted]/80	William A. Miller	Depew
27/80	Cynthia Bruckl	Depew
27/80	Robert Kohn	Depew
27/80	Barbara A - Beebe	Depew
27/80	Rhonda Blaszyk	Depew
27/80	Helen Blaszyk	Depew
27/80	Anthony J. Paul	Depew
27/80	Yvette J. Paul	Depew
27/80	Rosetta Sokol	Depew
27/80	Linda Bowers	Depew
27/80	S. Stockamp	Depew
[redacted]/80	Vera J. Kerwin	Depew
27/80	Bea Stockman	Depew

ch of the individuals whose names are subscribed to this petition sheet containing 24
gnatures, subscribed the same in my presence on the dates above indicated and identified himsel
rself to be the individual who signed this sheet. I understand that this statement will be
cepted for all purposes as the equivalent of an affidavit.

te June 27, 1980, ~~1980~~ Signature of Witness Kenneth M Krys Esq

, the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
on of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
ur lane highway is not required since there are sufficient parallel roads in the immediate
oximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
rry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
nstruction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]/80	Patricia E Kyszyd	
6/22/80	Rebecca K Mroz	
6-27-80	Maria L Lardis	
6-27-80	Anna Zechita	
6-27-80	Antoinette M. Politano	
6-27-80	Geraldine Chlowski	
6-27-80	Mona Lipka	
6-27-80	[illegible]	
6-27-80	Anna Mullar	
6-27-80	Leo Mullar	
6-27-80	Stella Mullar	
[redacted]-80	Elaine Koszuta	
6-27-80	Norine Zgodrowski	
6-27-80	Walter J Mroz	
6-27-80	[illegible]	
6/27/80	Hens Holl	
6/27/80	Dorothy Walt	
6/27/80	Margaret J Leszynski	
6/27/80	Stanley C Leszynski	
6/27/80	Edward Josephine Przybyl	
6/27/80	Edward Przybyl	
6/27/80	Mary Mank	
[redacted]/80	Marian Kaminowski	
6/27/80	W. M. Zemanski	

h of the individuals whose names are subscribed to this petition sheet containing 24
gnatures, subscribed the same in my presence on the dates above indicated and identified himself
rself to be the individual who signed this sheet. I understand that this statement will be
cepted for all purposes as the equivalent of an affidavit.

e June 27, 1980 Signature of Witness Patricia E Kyszyd

, the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
on of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
ur lane highway is not required since there are sufficient parallel roads in the immediate
oximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
rry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
nstruction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]/80	Alfonso R. Mendola	
1/27/80	Betty J. Mendola	
1/27/80	Thomas W. McCann	
1/27/80	Theresa M. McCann	
1/27/80	Peter Michalak	
1/27/80	Genevieve M. Chlebek	
1/27/80	Antonina Balunas	
1/27/80	Patricia Skowron	
1/27/80	Daniel Skowron	
1/27/80	Carol Stepien	
1/27/80	Richard Stepien	
[redacted]/80	Marie T. Molino	
1/27/80	Marian T. Nosto	
1/27/80	Barbara Farley	
1/27/80	Thomas A. Farley	
1/27/80	Margaret Wetsell	
1/27/80	Walter Sorbera	
1/27/80	Craig Territo	
1/27/80	Lynn Territo	
1/27/80	Patricia Mroz	
1/29/80	Lisa Bartolomey	
1/29/80	Melvin B Frulette	
[redacted]/80	Doris Passmore	
1/29/80	Patricia A. Mysliwiec	

h of the individuals whose names are subscribed to this petition sheet containing 24
natures, subscribed the same in my presence on the dates above indicated and identified himself
rself to be the individual who signed this sheet. I understand that this statement will be
cepted for all purposes as the equivalent of an affidavit.

e June 29, 1980 Signature of Witness Patricia E. Kyff

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
on of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]0	Eilene Nowicki	
/30	Raymond E. Nowicki	
/30	Leonard T. Pulczewski	
/30	Edward Pulczewski	
/30	Robert Lotz	
/30	Howard Hebeler	
/30	Elvira Hebeler	
/30	Charlotte Heeb	
/30	Lloyd C. Heeb	
/30	Mike C Heeb	
/30	Robert E. Heeb	
[redacted]0	David A Heeb	
/30	N-B Sloan Sr.	
/30	N. Sloan Jr.	
/30	Donna M. Sloan	
/30	Wilma Sloan	
/1	Theodore F. Hunnewell	
/1	Marjory Hunnewell	
/2	Anthony J. Boleeno	
/2	Rose M. Boleeno	
/2	Dorothy M. Ludwig	
[redacted]	Olha Pavlyshyn	
[redacted]2	Ihor Pavlyshyn	
/2	Julie Pavlyshyn	

h of the individuals whose names are subscribed to this petition sheet containing 24
natures, subscribed the same in my presence on the dates above indicated and identified himself
self to be the individual who signed this sheet. I understand that this statement will be
epted for all purposes as the equivalent of an affidavit.

e 7/2, 1980 Signature of Witness William R. Popp

, the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
on of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
oximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
rry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
nstruction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]-9-80	Joseph J. Zito Jr	CHEEKTOWAGA N.Y 14227
6/29/80	Linda Pogorzelski	Cheek. Ny 1422[illegible]
6/29/80	Lois M. McGee	
6/29/80	Robert F. Roinak	Cheektowaga
6/29/80	David M Wodarski	Cheektowaga
6/29/80	Elizabeth J Hauss	cheektowaga
6/29/80	Edna Farrer	Cheek NC
6/29/80	Arletta Stotz	Cheektowaga
6/29/80	Diane C. Kowalski	Cheektowaga
6/29/80	John W Kuller	Cheektowaga
6/29/80	Beatrice Kuller	Cheektowaga
[redacted]/80	Carl M. Stzalka	CHEEKTOWAGA
6/29/80	Christine V Stzalka	CHEEKTOWAGA
6/29/80	Lucille M. Rogers	Cheektowaga
6/29/80	Leonarda Szczepka	
6/29/80	Isabella Scivolino	Cheek.
6/29/80	Mary P Schuler	
6/29/80	Carolene B. Calamita	Cla[illegible]
6/29/80	James C. Flowers	Cheektowaga
6/29/80	Joseph G. Schiffer	Cheektowaga
6/29/80	Mary Mueller	
[redacted]/80	Marie Weber	
[redacted]/80	Marjorie Kuster	
6/29/80	Wilhelmina Fuller	

ch of the individuals whose names are subscribed to this petition sheet containing 24
gnatures, subscribed the same in my presence on the dates above indicated and identified himse
rself to be the individual who signed this sheet. I understand that this statement will be
cepted for all purposes as the equivalent of an affidavit.

te June 29, 1980 Signature of Witness Patricia E. Kuzdas

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
on of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
rry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
nstruction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
9	David Sheridan	
/29	Mrs. Angelucie Castro	
29	Celia Lechowicz	
29	William Lechowicz	
/29	Frances J. Vallon	
/29	Christine T. Heimerl	
/29	Rosanne Galler	
6/29	JoAnn O'Rourke	
/29	Linda Richardville	
29	Mary Jane Kandefer	
29	Amelia Richardville	
9	Stanley E. Jagiello	
/29	Alfred Jaworski	
29	Kathleen Germejewski	
29	Richard S. Germejewski	
/29	Art Trzaska	
/29	Ronald E. Hurley	
29	Janice A. Hinkley	
29	Marian Baur	
29	Mary A. Kandefer	
/29	John R. Kandefer	
	Elinor Jordan	
29	Judith A. Jordan	
/29	Dorothy Grove	

of the individuals whose names are subscribed to this petition sheet containing 24
natures, subscribed the same in my presence on the dates above indicated and identified himself
self to be the individual who signed this sheet. I understand that this statement will be
epted for all purposes as the equivalent of an affidavit.

June 29, 1980 Signature of Witness Patricia E. Kyszy

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruction of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a r lane highway is not required since there are sufficient parallel roads in the immediate oximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-nstructed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway nstruction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]1-80	Bob Anderson	Chkt. 14227
6/29/80	Kathy Anderson	Chktg 14227
6-27-80	Regina Malinowski	Chktg. 14227
6/29/80	Margaret Malinowski	Cheektowaga NY 14227
6-29-80	Pauline Bonk	Chktg 14227
6-29-80	Harry B. Bonk	Chktg. 14227
6/29/80	Cheryl R Nalezyk	Chktg 14227
[illegible]	[illegible]	[illegible]
6/29/80	Walter M Jadala	Cheektowaga N.Y. 14227
6-29-80	Tomas Zapata	Cheektowaga N.Y. 14227
6-29-80	James R Alonto	Cheektowaga 14227
[redacted]-80	Carol A. Smith	Cheektowaga 14227
6-29-80	Mrs Sweet Spada	Chkt 14227
6-29-80	Peter D Spada	Chkt 14227
6/29/80	Elaine J Jacks	Chktg. 14227
6/29/80	L.A. Burg Jr	14227
6/29/80	Joanne L. Burg	14227
6/29/80	Mrs Zlena Kruszona	14227
6/29/80	Mrs. Paul Bachaidelle	Depew 14043
6/29/80	David N. Thilan	Cheek. 14227
6/29/80	Margaret P. Thilan	14227
[redacted]/29/80	Janice Vallon	Depew, N.Y. 14043
[redacted]/29/80	Alice Hadrych	Cheektowaga
6/29/80	Tadeusz Hadrych	Cheektowaga

h of the individuals whose names are subscribed to this petition sheet containing 23 natures, subscribed the same in my presence on the dates above indicated and identified himself to be the individual who signed this sheet. I understand that this statement will be epted for all purposes as the equivalent of an affidavit.

e June 29, 1980 Signature of Witness Kenneth M Kupski

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
n of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
y East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
oining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]/80	Mrs Donna Guest	14227
29-8	Robert D Guest	14227
29/80	Alice Zak	14227
29/80	Emmett Fedewa	14227
29/80	Hilda Lachemeyer	14227
29/80	Charles J Zygmunt	Chlg. 14227.
9/80	Bernardine M Zygmunt	Chlg. 14227
9/80	M. & Mrs. Clothier	Chlk. 14227
29/80	James C Losson	Chk. 14227
9/80	Rosemarie Losson	Ch. 14227
29/80	Mary Jane Hanrahan	14227
/80	James G Hanrahan	14227
29/80	Joan Kathryn Sutton	14227
29/80	Mary Zielinski	14227
29/80	Harold Rakabba	14227
29/80	Gary Maczurki	14227
29/80	Kathleen M. Falkowski	14227
29/80	Mildred Collins	14227
9	Ronald Pazdzelski	14227
29	Tom Sansone	
29	Donald Petrina	14227
	Julie Fuchs	14227
29	Joseph Kruszka	14227
29	Gary Matt	14227

n of the individuals whose names are subscribed to this petition sheet containing 24
natures, subscribed the same in my presence on the dates above indicated and identified himself
self to be the individual who signed this sheet. I understand that this statement will be
epted for all purposes as the equivalent of an affidavit.

e [redacted], 1980 Signature of Witness Patricia E. Kuzdas

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
n of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]/80	Janet Lyon	Depew N.Y.
27/80	Gary Denk	Depew N.Y.
27/80	Elaine Denk	Depew NY
27/80	Diane Luigart	Depew N.Y.
27/80	Sebastian Zirkiewicz	DEPEW N.Y.
27-80	Carolyn Norman	Depew - N.Y.
27-80	Gerald A Norman	Depew N.Y.
28-80	Russell D Rice	Cheektowaga N.Y.
28-80	Rev. Ronald C. Burkard	Cheektowaga, N.Y.
28-80	Rev. Anthony J. Jasmin	Cheektowaga, N.Y.
28-80	William R. Pugh	Cheek. N.Y.
[redacted]/80	Elaine S. Pugh	Cheek. N.Y.
29/80	Dennis M. Wilat	Cheek. N.Y.
29/80	Nancy J. Cherico	Cheek. N.Y.
29-80	Margaret Pirhe	Cheek N.Y.
29/80	Jean Schneider	Cheek NY
29-80	Christine Jaworska	Cheek.
29-80	Robert Topil	Cheek N.Y.
29/80	Edward O. Topil	Cheek.
29-80	Kathleen S. Krol	Cheek, NY.
29/80	Michael E. Krol	Cheek N.Y.
29/80	Lynne Krajewski	Cheek. N.Y.
[redacted]/80	Thomas Dunning	Cheek N.Y.
29/80	Mary Jauch	Cheek. N.Y.

of the individuals whose names are subscribed to this petition sheet containing 24
natures, subscribed the same in my presence on the dates above indicated and identified himself
self to be the individual who signed this sheet. I understand that this statement will be
epted for all purposes as the equivalent of an affidavit.

e June 29, 1980 Signature of Witness Kenneth M Kupstis

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
n of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
oining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
6/29/80	Mathias P. Jarosch	
6/29/80	Jerry Zyostak	
6/29/80	Christine Zyostak	
6/29/80	Dennis Walker	Cheektowaga N. Y.
6/29/80	Beverley Walker	Cheek
6/29/80	Mrs. Margaret Judala	Cheek N.Y. 14227
6/29/80	Richard Chapman	" " "
6/29/80	Lynn J. Nagle	Ch 14227
6/29/80	M. R. Nagle	Cheek 14227
6/29/80	Mario Podpora	Cheek 14227
6/29/80	Henry W. Podpora	Cheek 14227
6/29/80	Terri Sansone	Cheek 14227
6/29/80	Nick Rogers	Cheek 14227
6/29/80	P.J. Zaczyk	14227
6/29/80	Margarit M. Martin	14227
6/29/80	Henrietta Zito	14227
6/29/80	James W. Uebenmann	14227
6/29/80	Doreen Walczak	14227
6/29/80	Mylad Jarosch	14227
6/29/80	Rosemary M Frear	14227
6/29/80	Robert F Frear	14227
6/29/80	Janice Cusman	14227
6/29/80	Kathy Krempa	14227
6/29/80	Pollina Pasquale	

of the individuals whose names are subscribed to this petition sheet containing 24
atures, subscribed the same in my presence on the dates above indicated and identified himself
elf to be the individual who signed this sheet. I understand that this statement will be
pted for all purposes as the equivalent of an affidavit.

June 29, 1980 Signature of Witness Kenneth M Zyglot

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
n of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
lane highway is not required since there are sufficient parallel roads in the immediate
cinity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
y East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
bining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
4	Myra M Lach	Cheektowaga
16	Theresa C Pawel	Cheektowaga
-16	F Rubicki	Cheektowaga
16	M Sandard	Cheektowaga
16	Ed Jamriga	CHEEK
16	Vyne Miranda	Cheek
16	Eileen Miranda	Cheek.
	Steven Kopczynski	Cheek
-16	Douglas H. Keating	Cheek.
-16	Judy Buchholz	Cheek.
-16	Dale Nawrocki	Cheek
-16	Leo Garbacz Jr.	Cheek.
-16	Martin J. Jaskaczy	CHEEKTOWAGA
-16	Phyllis Gadacz	Clark.
-16	Glenn A Russ	Cheek
16	Debbie Russ	Cheek.
16	Feodor Sorg	
-16	Sylvia A Miller	Cheek
16	Judy Berst	
16	Ron Mitz	
16	Ellen Mitz	
	Shelley Benyak	
16	Edward Pfeffer	
-16	Pat Wade	

of the individuals whose names are subscribed to this petition sheet containing 24
atures, subscribed the same in my presence on the dates above indicated and identified himself
elf to be the individual who signed this sheet. I understand that this statement will be
pted for all purposes as the equivalent of an affidavit.

July 16, 1980 Signature of Witness Elaine Pugh

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
n of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
oining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]/80	Gordon Spencer	Cheektowaga
29/80	Patricia Murray	Cheektowaga
29/80	William Sullivan	Cheektowaga
29/80	Patricia A. Sullivan	Cheektowaga
29/80	John J Ronan	CHEEK,
29/80	Cheryl Ronan	Cheek,
29/80	Raphael DeLano	Cheek, N.Y.
29/80	Carl W. Schneider	Cheek, N.Y.
29/80	Marianne Schneider	Cheek N.Y.
29/80	Jacqueline Kosnikowski	Cheek, N.Y.
29/80	Kenneth Kosnikowski	Cheek N.Y.
[redacted]/80	Ted Jesek	Tenn
29/80	Jeannette Waiguda	Cheek
30/80	Mary Brody	Cheek
2/80	C. J. Ackermon	Cheektowaga
2/80	Judith Ackermon	Cheektowaga
-/80	Del Wardon	West Seneca
0/80	E. J. Majchrzak	Cheek, N.Y.
30/80	Stella M Majchrzak	Cheek, N.Y.
2/80	Christine Kosyski	Depew, N.Y.
2/80	Edward J Kosnik	Depew N.Y.
[redacted]80	Phyllis Curry	Cheek
-80	Kathleen Curry	

of the individuals whose names are subscribed to this petition sheet containing 23
atures, subscribed the same in my presence on the dates above indicated and identified himself
elf to be the individual who signed this sheet. I understand that this statement will be
pted for all purposes as the equivalent of an affidavit.

July 14, 1980 Signature of Witness Kenneth M Kupski

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruction of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a r lane highway is not required since there are sufficient parallel roads in the immediate xximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with joining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
7/8	Glenn P. Olson	CHEEKTOWAGA N.Y.
7/8	Stephanie Hrabarnick	Cheektowaga 14227
7/8	Donna Kucia	Cheektowaga, N.Y. 14227
7/8	Debra Stalker	Cheektowaga
7/8	Patricia A Nowak	Cheektowaga N.Y.
7/8	Kathy Rusza	Cheektowaga N.Y.
7/8	Linda A Schramm	Cheek
7/8	Margie Schramm	Cheek
7/8	Janet Watson	Cheek-
7/8	Bernard Jamiel	Cheektowaga N.Y.
7/8	Rita Jamiel	" Chty
7/8	James Dobbek	Cheektowaga, N.Y.
7/8	Kathryn C Ciarlotta	Chek, N.Y.

of the individuals whose names are subscribed to this petition sheet containing 13 tures, subscribed the same in my presence on the dates above indicated and identified himself lf to be the individual who signed this sheet. I understand that this statement will be ted for all purposes as the equivalent of an affidavit.

July 8, 1980 Signature of Witness Rebecca Mea

the undersigned, residents of the County of Erie, Town of Cheektowaga oppose the reconstruc-
n of Losson Road into a four lane, 48 foot wide highway. Our opposition to such construction
listed, but not limited to the reasons set forth below:

Safety of the children walking or bicycling to Losson Park; 2. Converting Losson Road to a
r lane highway is not required since there are sufficient parallel roads in the immediate
ximity such as Clinton Street, French Road, Como Park Blvd., Broadway and Walden Avenue to
ry East/West traffic; 3. We, the undersigned, further suggest that Losson Road be re-
structed similar to Borden Road, that is, two 12 foot lanes (one in each direction) with
oining eight foot bicycle lanes on each side thus, saving the cost of eight feet of highway
struction and its continued future maintenance.

DATE	NAME OF SIGNOR	RESIDENCE
[redacted]	Christine M. Lazek	
7/29	Marge Jagodzinski	
7/29	Mary Brodka	

805 Losson Road
Cheektowaga
New York, 14227

May 16, 1980

County Executive Edward Rutkowski
Rath Building
Buffalo, New York

Sir:

I protest the waste of my County tax money by our D.P.W. Div. of Highways.

The farcical waste of time, money and manpower rebuilding Borden Road in So. Cheektowaga is being repeated in the present re-construction of Losson Road.

Please help to prevent another bureaucratic blunder.

Losson Road is a rural two lane road, servicing mainly local residents and the new Losson Road town park. The original re-construction plan of two 12' driving lanes with two 8' bicycle lanes is supremely ideal for the safety of our children and the increase in pedestrian and bicycle traffic.

The change to a (4) four lane super-highway is not necessary. I consider it a waste of my taxes and a dangerous hazard to my children.

LEO GARBACZ JR.

cc
town councle
road comittee
file

805 Losson Road
Cheektowaga
New York, 14227

May 16, 1980

Eugene Kurzawa
Right of Way Agent
Erie County Finance Department
95 Franklin Street
Buffalo, New York, 14202

Sir:

On February 12, 1980 I signed a temporary easement agreement to aid the Erie County D.P.W., Div. of Highways ie- Losson Road., CR 21, Project 078201, Parcel 17, map 12/24/79, SK 227-25.

I now consider any and all easement agreements signed by me to be null and void because I believe such agreements to be obtained in a deceiving manner.

At the time of signing the easement agreement you told me that Losson Road would be two 12' driving lanes and two 8' bicycle lanes; the same as Borden Road. Much more than sufficient for our present and future traffic needs and a tremendous improvment over the dilapidated condition the Highway Department allowed the road to become in the past two decades.

It has come to my attention that instead of the agreed two lane road, with two bicycle paths; a 48' (4) four lane super-highway is to be constructed. I am firmly against this change.

Changing Losson Road into a four lane super-highway will ruin the delightful country atmosphere we who live here enjoy. Worse yet human nature being what it is; a wide four lane highway will encourage some drivers to drive faster, creating a great hazard to pedestrians and bicyclists attracted to our Losson Road Park.

Losson Road is not now and most likely never will be a major traffic artery. The extra expense to make it a four lane super-highway is wasteful of my tax dollars and I oppose the misuse of my hard earned funds.

LEO GARBACZ JR.

cc
County exec
town council
file committee

Item No. 16 cont'd

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

Item No. 17a Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located on the south side of Walden Avenue across from Ridge Park Avenue, Cheektowaga, New York (Account No. 4-200) and according to the Assessor's Office records is owned by Cheektowaga Industrial Park c/o Paul Real Estate, Boulevard Mall, Amherst, New York 14226, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 17b Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the east side of Concord Drive, Cheektowaga, New York (Account Numbers 20-125, 20-126, 20-127, 20-128) and according to the Assessor's Office records is owned by Eleanor Tepe, et al., 89 Dawnbrook Lane, Williamsville, New York 14221, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 17c Moiton by Councilman Rogowski, seconded by Councilman Wegner

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at Lots 15, 16, 17, 18, 19 and 20 North Pleasant Parkway, Cheektowaga, New York (Account Numbers 9-368, 9-369, 9-370, 9-371, 9-372, and 9-373) and according to the Assessor's Office records is owned by Peter J. Schmitt Co., Inc., 678 Bailey Avenue, Buffalo, New York, 14206, and

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

Item No. 17c cont'd

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ANSENT: 0

Item No. 17d Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the northeast corner of Crandon Boulevard and Stanislaus Avenue, Cheektowaga, New York (Account No. 22-366) and according to the Assessor's Office records is owned by Cervi Construction Co., Inc., 323 North Creek Drive, Depew, New York 14043, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 17e Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located east of the northeast corner of Crandon Boulevard and Stanislaus Avenue, Cheektowaga, New York (Account No. 22-367) and according to the Assessor's Office records is owned by Allan Hugh and Associates, Inc., 4560 Gunville Road, Clarence, New York 14031, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 17f Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 68 Andrews Avenue, Cheektowaga, New York (Account No. 13025) and according to the Assessor's Office records is owned by Valentine Gutowski, Buffalo, New York 14211, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Item No. 17f cont'd

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

Item No. 17g Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 1009 George Urban Boulevard, Cheektowaga, New York (Account No. 26-193) and according to the Assessor's Office records is owned by James A. Maguire, Jr. Snyder, New York 14226, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner herebefore described.

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

Item No. 17h Motion by Councilmen Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 1035 George Urban Boulevard, Cheektowaga, New York (Account No. 26-198) and according to the Assessor's Office records is owned by Fred Marshall, , Cheektowaga, New York 14227, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 17i Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the northeast corner of Borden Road and Bory Drive, Cheektowaga, New York (Account No. 1-347) and according to the Assessor's Office records is owned by Joseph Borynski, West Seneca, New York 14224, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Item No. 17i

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, Councilman William P. Rogowski has been appointed Chairman of the Town of Cheektowaga Sanitation Committee, and

WHEREAS, Councilman William P. Rogowski has been the representative on the Erie County Solid Waste Steering Committee for the Villate of Sloan since its inception, and

WHEREAS, Councilman William P. Rogowski has expressed an earnest interest as being the Town Designee on the Erie County Solid Waste Steering Committee, NOW, THEREFORE, BE IT

RESOLVED that Councilman William P. Rogowski be appointed the Designee on the Erie County Solid Waste Steering Committee for the Town of Cheektowaga, effective immediately, and BE IT FURTHER

RESOLVED that a copy of said resolution be forwarded to Mr. Anthony T. Voell, Deputy Commissioner, Division of Environmental Control.

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

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

RESOLVED that the below listed individuals are hereby hired in the Cheektowaga Youth Bureau at the titled position and rate of pay per hour:

HOMETOWN BEAUTIFICATION (Participants) A.7310.164-$3.10 per/hr.

--Syndy LaBruno

--Steve Dranger

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

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

BE IT RESOLVED that the following be hired by the Cheektowaga Recreation Department as Park Attendant at the rate of $3.10 per hour:

Cindy Feyrer

and BE IT FURTHER

RESOLVED that Dean Lach of receive pay differential from $2.90 to $3.25 per hour effective January 1, 1980 to June 22, 1980.

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, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that Kathryn Yarbrough of Cheektowaga, New York 14227, social security is hereby hired and assigned to the Erie County Industrial Development Agency, as a Clerk-Typist at a salary of $150.00 per week, and BE IT FURTHER

RESOLVED that Kathryn Yarbrough will be placed on the Cheektowaga payroll as a convenience to the worksite. Her pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

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

Item No. 22 Appointment of Working Foreman in the Facilities Department

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

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

Item No. 23 Appointment to position of Clerk-Typist in Building Inspector's Office

Motion by Councilman Dux, seconded by Councilman Rogowski to table this item until Wednesday, July 23, 1980 at 6:00 P.M.

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

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

WHEREAS, David Przepiora, a Police Officer in the Cheektowaga Police Department, has applied for a Military Leave of Absence from July 26, 1980 to August 9, 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

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

RESOLVED that David Przepiora, a Police Officer in the Cheektowaga Police Department is granted a military leave of absence, from July 26, 1980 to August 9, 1980, and BE IT FURTHER

RESOLVED that David Przepiora 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. 25 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, it was necessary to deliver Bond Anticipation Notes in the sum of $2,500,000 and to close said bond transaction in New York City on July 17, 1980, NOW, THEREFORE, BE IT

RESOLVED that Richard M. Moleski, Town Clerk, be and hereby is granted authorization (retroactive to July 17, 1980) to deliver said Bond Anticipation Notes and close said bond transaction in New York City, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses incurred in said delivery and closing 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. 26 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Town of Cheektowaga filed an application for State-Federal aid for an Excess Flow Management Facility, Step II Design, which design is to include an automatic cleaning retention facility, and

WHEREAS, it is advisable at this early stage of design to have the Town Engineer inspect and evaluate a similar design that is now in use, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is authorized to make an inspection trip to the Ticonderoga, New York, Wastewater Treatment Plant, and BE IT FURTHER

RESOLVED that all reasonable and necessary expenses for said inspection and evaluation trip 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. 27 Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is in the process of acquiring 223 acres of property known as the Stiglmeier Park Extension, and

WHEREAS, it is proposed that said acreage be used for a variety of recreational uses to service Town residents, and

WHEREAS, alternate uses for the Stiglmeier Park Extension are undefined at this time, and

WHEREAS, it is important for the Town of Cheektowaga to have a short-term strategy and a long-term development plan for Stiglmeier Park, and

WHEREAS, development costs to provide more extensive and extended recreational facilities and services in Stiglmeier Park is unknown at this time, NOW, THEREFORE, BE IT

RESOLVED that the Town prepare a short-term development strategy and concurrently prepare a long-term development plan with projected costs for said park, and BE IT FURTHER

RESOLVED that the firm of Stuart Alexander and Associates be retained at a fee not to exceed $18,000 to prepare a short-term development strategy and long-term plan and cost estimate and BE IT FURTHER

RESOLVED that the plan and development strategy be prepared and presented for public review within four (4) months of the date of this resolution.

Item No. 27 cont'd

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

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

and said amendment was adopted as attached hereto:

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is in the process of acquiring 223 acres of property known as the Stiglmeier Park Extension, and

WHEREAS, it is proposed that said acreage be used for a variety of recreational uses to service Town residents, and

WHEREAS, alternate uses for the Stiglmeier Park Extension are undefined at this time, and

WHEREAS, it is important for the Town of Cheektowaga to have a short-term strategy and long-term development plan for Stiglmeier Park, and

WHEREAS, development costs to provide more extensive and extended recreational facilities and services in Stiglmeier Park is unknown at this time, NOW, THEREFORE, BE IT

RESOLVED that the Town prepare a short-term development strategy and concurrently prepare a long-term development plan with projected costs for said park, and BE IT FURTHER

RESOLVED that the firm of Stuart Alexander and Associates be retained at a fee not to exceed $18,000 to prepare a short-term development strategy and long-term plan and cost estimate, and BE IT FURTHER

RESOLVED that the plan and development strategy be prepared and presented for public review within four (4) months of the date of this resolution, and BE IT FURTHER

RESOLVED that said fee to be charged to the anticipated Bond Issue Proposal.

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

Item No. 28 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 July 21st, 1980 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS.	AMOUNT
GENERAL FUND	15798-16010, 16014-16171	$1,996,272.37
H.U.D. - N.P.P. FUND	125	3,468.00
H.U.D. - C.D.B.G. FUND	236-240, 246	60,012.00
DEBT SERVICE FUND	34, 93-100	34,190.50
PART TOWN FUND	232-240, 248-253	37,561.10

Item No. 28 cont'd

SPECIAL DISTRICT FUND	7292-7411, 7415-7473	623,890.05
SPECIAL ASSESSMENT FUND	28	4,674.75
HIGHWAY FUND	5418-5551, 5596-5635	644,101.03
TRUST AND AGENCY FUND	14, 811-825, 831-832	391,028.42
FEDERAL REVENUE SHARING FUND	451, 476-493	41,735.66
CAPITAL FUND	343-349	454,178.60
		$4,291,112.48

Upon Roll Call....

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

NAYES: 0

ABSENT. 0

IV. GENERAL COMMUNICATIONS

Item No. 29 Board of Fire Commissioners, Doyle Fire District #1 - Letter regarding Rossler Street Bridge

Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Alfred Wnek, Highway Superintendent.

This item was Received and Filed.

Item No. 30 Notice of Claim - Alda Meccay vs Town of Cheektowaga

Copies were sent to: James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor; E.T. Clauss, Insurance Company; Jim Matecki, Facilities Department; Ed Leak, Recreation Director.

This item was Received and Filed.

Item No. 31 Notice of Claim, Small Claims Court - Town of Cheekowaga vs Edward Agliata

Copies were sent to: James Kirists, Town Attorney.

This item was Received and Filed.

Item No. 32 Resident of Losson Road regarding a flooding and building problem

Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Chester Bryan, Town Engineer; Ron Marten, Building and Plumbing Inspector.

This item was Received and Filed.

Item No. 33 Petition from residents of Losson Road regarding proposed Losson Road reconstruction

Copies were sent to: Kenneth J. Meyers, Supervisor, Council Secretary; Alfred Wnek, Highway Superintendent; Cheektowaga Traffic Safety Commission; Theodore De Federicis, Chief of Police; Captain Lis, Police Department.

This item was Received and Filed.

V. FROM THE TABLE

Item No. 34 Authorization for engineering firm to prepare easement map, Plans and specs for construction of Phase I of Scajaquada Creek Tributary T-1.

This item was withdrawn.

Item No. 35 Withdrawal of application for 34 acre parcel re: Nob Hill Park Site

Motion by Councilman Dux, seconded by Councilman Johnson to table the above resolution.

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

Item No. 36 Authorization for Town Planning Consultants to make study of a 10-15 acre parcel for recreational use re: Nob Hill Park

Motion by Councilman Dux, seconded by Councilman Johnson to table the above resolution.

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

The vote to table this item was lost

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga is desirous of providing recreational facilities in the Nob-Hill area, and

WHEREAS, the Town of Cheektowaga intends to immediately develop a parcel of property known as the Nob-Hill Park, NOW, THEREFORE, BE IT

RESOLVED that Stuart Alexander, Town Planning Consultant, be and hereby is authorized to prepare preliminary drawings indicating various recreational uses of a 10-15 acre parcel.

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

VI. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Wegner 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. 37 Clean-up of property located east of 315 Zoerb Avenue

Motion by Councilman Johnson, seconded by Councilman Burst

Item No. 37 cont'd

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located East of 315 Zoerb Avenue (Map Cover 2072, Lot 6, Account No. 26-198) and according to the Assessor's Office records is owned by Benderson Development Corp., 570 Delaware Avenue, Buffalo, New York 14202, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 38 Military leave of absence for Sanitation Department employee

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, Christopher Kowal, employee in the Sanitation Department, has applied for a Military Leave of Absence from July 28, 1980 through August 8, 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 a period of thirty (30) days while on said military leave duty, NOW, THEREFORE, BE IT

RESOLVED that Christopher Kowal, employee in the Sanitation Department is granted a military leave of absence from July 28, 1980 to August 8, 1980, and BE IT FURTHER

RESOLVED that Christopher Kowal 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. 39 Acceptance of Woodgate Drive

Motion by Supervisor Meyers, seconded by Councilman Rogowski

BE IT RESOLVED that the following named highway, as more particularly described in the letter of the Highway Superintendent attached hereto and made a part hereof, be accepted as set forth in the letter:

WOODGATE DRIVE

(Part of - plus or minus 1157 ft. - Phase II)

and BE IT FURTHER

Item No. 39 cont'd

RESOLVED that the Town Attorney's Office be and hereby is directed to record the Deed in connection with the above acceptance in the Erie County Clerk's Office.

* See next page for letter

NO. 18

NO. 19

ALFRED F. WNEK
SUPERINTENDENT

OFFICE: ~~XXXXXXXXX~~
686 3450

ROBERT KARASZEWSKI
Deputy Superintendent

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

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

July 17, 1980

HONORABLE KENNETH J. MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN OF CHEEKTOWAGA, NEW YORK 14227

Gentlemen:

Re: Acceptance of (Part of) WOODGATE DR.
plus or minus 1157 ft. - Phase II

Please be advised that proper and routine inspections have been made by my engineer, T. Skowron, and myself; and find that part of Woodgate Dr., as herein described, does conform to specifications, as set forth by the Town of Cheektowaga, is recommended for acceptance into our system of highways.

WOODGATE DR., a 60' wide R.O.W. as shown on MC 2422 from a point in the R.O.W. that point being the westerly extension of the south line of sublot #43, southerly and westerly for a distance of ± 1157' to a point which is the easterly line of the MC 2376; joining there with an existing section of pavement. Fronting sublots 23-42 and 52-62.

The deed is being forwarded to the Town Attorney for approval and filing. The Maintenance bond is for an amount commensurate with the provisions of our P. I. P. ordinance. This bond too, will be sent to the Town Attorney's office for approval. A Performance bond for street lighting, is also being provided.

After approval by the Town Attorney, and proper filing and recording of the deed, these documents become part of this acceptance.

I request that no certificate of occupancy be issued by the Building Inspector, until the builder of a house guarantees the planting of a tree in front of each house built by him. The type of tree will be specified by the Highway Department.

I trust this meets with your Honorable approval. I remain,

Respectfully yours,
TOWN OF CHEEKTOWAGA

Alfred F. Wnek

ALFRED F. WNEK, SUPT. OF HIGHWAYS

RECEIVED
JUL 17 1980
Town Attorney

AFW/bg
cc: Town Clerk
Town Atty.
Building Insp.
Town Engineer
T. Skowron
file

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

Item No. 39 cont'd

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

Item No. 40 Decision on change of Zoning Classification on William St. and Union Road

Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that the present zoning district classification of a number of areas in the Town be changed so as to conform with present uses, adjacent uses and surrounding neighborhoods; said areas being generally described as follows:

1. the north side of William Street from the existing RC zoning east to Union Road, and

2. the south side of William Street from Cayuga Creek Road east to Union Road, and

WHEREAS, the said recommendation was to rezone said areas from their present zoning district classifications to RC-Restricted Business District, and

WHEREAS, the aforementioned areas have in fact been developed in accordance with the uses permitted in a RC-Restricted Business District, and

WHEREAS, a public hearing was held before this Town Board on the 16th day of June, 1980 at 7:00 P.M. after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Erie County Division of Planning has reviewed said application and has presented no objection thereto, and

WHEREAS, this Town Board believes that it would promote and protect the public health, safety, comfort, convenience and other aspects of the general welfare of the Town of Cheektowaga for the aforementioned areas to be rezoned to RC-Restricted Business District, NOW, THEREFORE, BE IT

RESOLVED that the following described premises be and hereby are rezoned from their present zoning district classifications to RC-Restricted Business District:

Tax Account Number	Owner	Address
3-849	Raas Leasing Corp.	3060 William Street
3-850	Raas Leasing Corp.	3060 William Street
3-851	Iroquois Gas Corp.	No Address
3-571	Matthew Korpanty	2720 Union Road
3-852-10	Matthew Korpanty	2720 Union Road
3-572	Remedio, Inc.	2730 Union Road
3-852-20	Remedio, Inc.	2730 Union Road
3-893-11	Merchant's Adjustment	3025 William Street
3-893	P.J. Schmitt Co.	Vacant Lot
3-893-14	Anthony Pantera	3083 William Street
3-893-15	Anthony L. Pantera	3083 William Street
3-893-20	Orchard Associates	3091 William Street
3-893-30	Orhcard Associates	3099 William Street
3-893-40	P.J. Schmitt Co.	Vacant Lot

NO. 18 NO. 19

Item No. 40 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. Zechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication July 24 1980; last publication July 24 1980; and that no more than six days intervened between publications.

Gladys M. Zechter

Sworn to before me this 25th

day of July, 1980.

Nadine C. Williams

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

NADINE C. WILLIAMS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1981

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 21st day of July, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Johnson, Seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that the present zoning district classification of a number of areas in the Town be changed so as to conform with present uses, adjacent uses and surrounding neighborhoods; said areas being generally described as follows:

1. the north side of William Street from the existing RC zoning east to Union Road, and

2. the south side of William Street from Cayuga Creek Road east to Union Road, and

WHEREAS, the said recommendation was to rezone said areas from their present zoning district classifications to RC-Restricted Business District, and

WHEREAS, the aforementioned areas have in fact been developed in accordance with the uses permitted in a RC-Restricted Business District, and

WHEREAS, a public hearing was held before this Town Board on the 16th day of June, 1980 at 7:00 P.M. after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York and all interested parties were given an opportunity to be heard at said hearing, and

WHEREAS, the Erie County Division of Planning has reviewed said application and has presented no objection thereto, and

WHEREAS, this Town Board believes that it would promote and protect the public health, safety, comfort, convenience and other aspects of the general welfare of the Town of Cheektowaga for the aforementioned areas to be rezoned to RC-Restricted Business District, now, therefore, BE IT

RESOLVED, that the following described premises be and hereby are rezoned from their present zoning district classifications to RC-Restricted Business District:

Tax Account Number, 3-849; **Owner**, Raas Leasing Corp.; **Address**, 3060 William Street;

Tax Account Number, 3-850; **Owner**, Raas Leasing Corp.; **Address**, 3060 William Street;

Tax Account Number, 3-851; **Owner**, Iroquois Gas Corp.; **Address**, No address;

Tax Account Number, 3-571; **Owner**, Matthew Korpanty; **Address**, 2720 Union Road;

Tax Account Number, 3-852-10; **Owner**, Matthew Korpanty; **Address**, 2720 Union Road;

Tax Account Number, 3-572; **Owner**, Remedio, Inc.; **Address**, 2730 Union Road;

Tax Account Number, 3-852-20; **Owner**, Remedio, Inc.; **Address**, 2730 Union Road;

Tax Account Number, 3-893-11; **Owner**, Merchant's Adjustment; **Address**, 3025 William Street;

Tax Account Number, 3-893; **Owner**, P.J. Schmitt Co.; **Address**, Vacant lot;

Tax Account Number, 3-893-14; **Owner**, Anthony L. Pantera; **Address**, 3083 William Street;

Tax Account Number, 3-893-15; **Owner**, Anthony L. Pantera; **Address**, 3083 William Street;

Tax Account Number, 3-893-20; **Owner**, Orchard Associates; **Address**, 3091 William Street;

Tax Account Number, 3-893-30; **Owner**, Orchard Associates; **Address**, 3099 William Street;

Tax Account Number, 3-893-40; **Owner**, P.J. Schmitt Co.; **Address**, Vacant lot

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 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 July 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. 40, inclusive, of said book.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Item No. 41 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that Diane Chimiak of Cheektowaga, New York 14215, social security number is hereby hired and assigned to the United Rubber Workers, as a secretary at a salary of $7,600 per year, and BE IT FURTHER

RESOLVED that Diane Chimiak will be placed on the Cheektowaga Payroll as a convenience to the worksite. Her pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

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

Item No. 42 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. was authorized to prepare plans and specifications for the reconstruction of Chapel Avenue, and

WHEREAS, Chapel Avenue is situated in an area designated as a neighborhood improvement target area allowing improvements to be made utilizing Community Development Block Grant Funds, and

WHEREAS, plans and specifications are ready for the Chapel Avenue Reconstruction, Phase II Project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said Chapel Avenue Reconstruction, Phase II notice to be published in the BUFFALO EVENING NEWS, THE CHEEKTOWAGA TIMES, and the BUFFALO CRITERION, and BE IT FURTHER

RESOLVED that this Town Board meet on the 4th day of August, at 7:00 P.M., Local Time, for the purpose of receiving bids at which time they will be opened by the Town Board at a public meeting held for that purpose.

* *

INVITATION FOR BIDS

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Boards of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M., Local Time on Monday, the 4th day of August, at which time and place they will be publicly opened and read aloud for the following work:

CHAPEL AVENUE RECONSTRUCTION, PHASE 2

The work to be accomplished under this proposal consists of the reconstruction of approximately 1500 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from a point approximately 400 feet east of Smith Street to a point approximately 50 feet west of Orchard Place.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "TOWN OF CHEEKTOWAGA."

Item No. 42 cont'd

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
TOWN CELRK
TOWN OF CHEEKTOWAGA, NEW YORK

DATED: July 22, 1980

* *

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 } ss.
TOWN OF CHEEKTOWAGA

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

Gladys M. Fechter

Sworn to before me this 25th

day of July, 1980

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

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York
DATE: July 22, 1980

Legal Notice

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M. Local Time on Monday the 4th day of August, at which time and place they will be publicly opened and read aloud for the following work:

CHAPEL AVENUE RECONSTRUCTION, PHASE 2.

The work to be accomplished under this proposal consists of the reconstruction of approximately 1500 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from a point approximately 400 feet east of Smith Street to a point approximately 50 feet west of Orchard Place.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "TOWN OF CHEEKTOWAGA."

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5 percent) of the total bid shall be submitted with each bid.

Attention is called to the fact that no less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga, New York
DATE: July 22, 1980

State of New York }
ERIE COUNTY } ss.
CITY OF BUFFALO }



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 ~~a week for xxxxxxxxxxx weeks, the first~~ insertion being on the 24th day of July 1980 ~~and the last insertion being on the xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

D. Eileen Perry

Sworn to before me this 25th day of July 1980

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

Paul E. Bielman
Notary Public, Erie County, N. Y.

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.

INVITATION FOR BIDS
TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Boards of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 PM Local Time on Monday the 4th day of August, at which time and place they will be publicly opened and read aloud for the following work:

CHAPEL AVENUE
RECONSTRUCTION, PHASE 2

The work to be accomplished under this proposal consists of the reconstruction of approximately 1500 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from a point approximately 400 feet east of Smith Street to a point approximately 50 feet west of Orchard Place.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "TOWN OF CHEEKTOWAGA."

Any bidder returning such Contract Plans and Documents in good condition within ten (10) days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit ($12.50) for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U.S. Government bonds (at par value), or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color religion, sex or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five (45) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

Date: July 22, 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 a week for ~~xxxxxxxxxx~~ ~~weeks, the first~~ insertion being on the 24th day of July 1980 ~~and the last insertion being on the xxxxx day of xxxxxxxxx 19xxx~~

D. Eileen Perry

Swo[rn] to before me this 25th day of

of [July] 19 80

PAUL E. BIELMAN
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[8]

Notary Public, Erie County, N. Y.

STATE OF NEW YORK

Erie County, City of Buffalo

Invitation For Bids

TOWN OF CHEEKTOWAGA
ERIE COUNTY, NEW YORK

NOTICE TO CONTRACTORS: Sealed proposals will be received and considered by the Town Boards of the Town of Cheektowaga, County of Erie, State of New York, at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, until 7:00 P.M. Local Time on Monday, the 4th day of August, at which time and place they will be publicly opened and read aloud for the following work:

CHAPEL AVENUE RECONSTRUCTION, PHASE 2

The work to be accomplished under this proposal consists of the reconstruction of approximately 1500 linear feet of Chapel Avenue with asphalt concrete pavement, curbs and storm drainage facilities, from a point approximately 400 feet east of Smith Street to a point approximately 50 feet west of Orchard Place.

Copies of the Contract Plans and Documents may be examined at the offices of the Town Engineer and the Town Clerk at the said Town Hall during regular business hours. Copies of the Contract Plans and Documents may be secured at the Office of the Town Clerk upon payment of $25.00 per set of documents. Checks shall be made payable to the "TOWN OF CHEEKTOWAGA."

Any bidder returning such Contract Plans and Documents in good condition within ten [10] days following the award of the contract or the rejection of bids will be refunded the full amount of his deposit for one complete set of documents only. Similarly, non-bidders, including material suppliers and anyone returning the documents prior to the bid opening, will be refunded one-half the amount of their deposit [$12.50] for one complete set of documents only.

A certified check or bank draft, payable to the order of the Town of Cheektowaga, negotiable U. S. Government bonds [at par value], or a satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to five percent [5%] of the total bid shall be submitted with each bid.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

The Town of Cheektowaga reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the Town of Cheektowaga for a period not to exceed forty-five [45] days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidder, prior to awarding the Contract.

RICHARD M. MOLESKI
TOWN CLERK
TOWN OF CHEEKTOWAGA, NEW YORK

Date: July 22, 1980

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 therein once a week for one weeks, the first insertion being on the 23rd day of July, 80 and the last insertion being on the ..... day of ..... 19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 8th day of Sept. 19 80

ARTHUR K. POSLUSZNY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 82

Item No. 43 Re-advertise for bids for football helmets

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, a resolution was adopted by the Town Board at a regular meeting held on July 7, 1980 directing the Town Clerk to advertise for bids for football helmets for the Recreation Department; said bids to be opened on July 21, 1980, and

WHEREAS, no bids were received on the scheduled date of July 21, 1980, and

WHEREAS, a request has been made by the Recreation Director that said Football helmets be rebid, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for furnishing of Football Equipment to teh Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of RICHARD M. MOLESKI, Town Clerk, and BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Daylight Savings Time on August 4, 1980 for the purpose of properly opening and reading the sealed bids.

* * * * * * * * * * * * * * * * * * * *

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 August 4, 1980 at 7:00 P.M., Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, for football helmets.

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 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

* *

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

Gladys M. Fechter

Sworn to before me this 25th

day of July, 1980

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

NO. 18
NO. 19
NO. 20
NO. 21

Legal Notice

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on August 4, 1980 at 7:00 P.M. Eastern Daylight Saving Time at the Town Hall, corner of Broadway and Union Road, for football helmets.

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 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

NO. 18
NO. 19
NO. 20
NO. 21

Item No. 44 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting until Wednesday, July 23, 1980 at 6:00 P.M.

RICHARD M. MOLESKI
Town Clerk

NO. 18
NO. 19
NO. 20
NO. 21

MEETING NO. 18 (REGULAR ADJOURNED)

CHEEKTOWAGA, NEW YORK
July 23, 1980

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 23rd day of July, 1980 at 6:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Councilman Frank E. Swiatek
Councilman Donald J. Wegner
Councilman William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Chester Bryan, Town Engineer, Ron Marten, Building and Plumbing Inspector; Gerry Gabryszak, Administrative Assistant in the Council Office.

I. RESOLUTIONS

Item No. 2 Award of bid for construction of Chapel-Smith Drainage Project and Chapel Avenue Reconstruction, Phase I

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Chapel-Smith Drainage Project and Chapel Avenue Reconstruction - Phase I, which bids were duly received and opened at the Regular Town Board of July 21, 1980, and

WHEREAS, said bids were referred to the Consulting Firm of McFarland Johnson Engineers, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated July 23, 1980, and

WHEREAS, said report recommended that the contract for the Chapel-Smith Drainage Project and Chapel Avenue Reconstruction - Phase I be awarded to NAI Construction Company, Inc., P.O. Box 32, Station B, Buffalo, New York 14207 for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the construction of the Chapel-Smith Drainage Project and Chapel Avenue Reconstruction, Phase I, be and hereby is awarded to NAI Construction Company, Inc. for their bid in the amount of $186,797.22, said being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said Construction Agreement with NAI Construction Company, Inc., and BE IT FURTHER

RESOLVED that all costs incurred shall be charged to the Community Development Block Grant Fund.

* 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

July 23, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

At the regular Town Board meeting on July 21, 1980, bids were publicly received and opened for the construction project identified as Chapel-Smith Drainage Project and Chapel Avenue Reconstruction - Phase I. Twelve (12) bids were received as follows:

NAI Construction Company, Inc.	$186,797.22
Solomon II and/or Soleeneemu Construction Company	$190,342.55
M.C. Morgan Contractors	$203,810.05
M. Falgiano Construction Co., Inc.	$205,697.00
Destro & Bros. Construction Co., Inc.	$220,325.25
C.M.H. Company, Inc.	$224,395.50
Kissell Landscaping, Inc.	$225,723.00
Surianello Construction Co.	$240,285.70
Custom Top Soil	$241,437.92
West Falls Construction Corp.	$246,855.72
Depew Development, Inc.	$278,278.00
Frank Ciminelli Construction Co., Inc.	$303,149.80

Bids were reviewed by the Consulting Engineering firm of McFarland Johnson Engineers, Inc. Bid tabulations were also submitted to the Highway Superintendent. It is recommended by the consultants and ourselves that the bid be awarded to NAI Construction Company, Inc., P.O. Box 32, Station B, Buffalo, New York 14207. This firm submitted the lowest price meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

Item No. 2 cont'd

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

Item No. 3 Appointment of Clerk-Typist in Building Inspector's Office

Motion by Supervisor Meyers, seconded by Councilman Dux

WHEREAS, a job opening exists in the position of Clerk Typist in the Building Inspector's Office, and

WHEREAS, Diane Corkins, of Cheektowaga, New York has been employed as a Clerk Typist in the Building Inspector's Office pursuant to the Comprehensive Employment and Training Act, and

WHEREAS, Diane Corkins has been granted an extension of eligibility for employment under the regulations of the Comprehensive Employment and Training Act pending the issuance of the most recent list of eligibles for the position of "Clerk Typist", and

WHEREAS, Diane Corkins appears on the most recent Civil Service list of eligibles for the position of "Clerk Typist", NOW, THEREFORE, BE IT

RESOLVED that effective July 1, 1980, Diane Corkins be and hereby is promoted and appointed to the position of Clerk Typist in the Building Inspector's Office at a salary in accordance with the current agreement between the Town of Cheektowaga Employees' Association, and the Town of Cheektowaga.

Upon Roll Call....
AYES: Supervisor Meyers, Councilmen Johnson and Burst
NAYES: Councilman Dux
ABSENT: Councilmen Swiatek, Wegner and Rogowski

This resolution was lost due to a lack of majority.

Item No. 4 Motion by Councilman Dux, seconded by Councilman Johnson to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

NO. 19 NO. 20 NO. 21

CHEEKTOWAGA, NEW YORK
AUGUST 4, 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 Roads, in said Town on the 4th day of August, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Mrs. Julia Reinstein, Town Historian; Pat Wojcik, Recreation Supervisor-Senior Citizens; Al Thrun, Cheektowaga Traffic Safety Commission; Alfred Wnek, Highway Superintendent; Chester Bryan, Town Engineer; Theodore DeFedericis, Police Chief; Ronald Marten, Building & Plumbing Inspector; Dr. Louis Vendetti, Health Officer; Ed Leak, Recreation Director; Ken Kopacz, Executive Director of the Youth Bureau; George Burst, Auto Mechanic Foreman; Floyd Majchrzycki, Assistant Working Foreman in the Sanitation Department; Mary Holtz, Deputy Town Clerk.

I. BIDS

Item No. 2 Chapel Avenue Reconstruction - Phase II.
Bids referred to Chester L. Bryan, Town Engineer.

Item No. 3 Recreation Department - Football Helmets
No bids were received. See Item No. 39 - Re-Advertise.

II. PUBLIC HEARING

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 XIII

Truck Exclusions

Section 130. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

Ellen Drive	-	from Cayuga Road to Union Road
Montfort Drive	-	entire length
Terry Lane	-	entire length
Redleaf Lane	-	entire length
White Road	-	entire length

* * * * * * * * * * * * * * * * * *

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 and the Supervisor was served with a petition from residents of the streets concerned, after which the Supervisor declared the hearing closed; decision was reserved.

III. RESOLUTIONS

Item No. 5 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Frank and Antonietta Gallo have applied for a rezoning from R-Residential District to CM-General Commercial District on property located at 381 Bennett 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. 10, Township 22, Range 7 of the Holland Land Company's Survey, bounded and described as follows:
>
> BEGINNING at a point in the center line of Bennett Road, distant 139.92 feet southwesterly from its intersection with the center line of Como Park Boulevard; thence southerly at an interior angle of 135° 13' 30" and along the west line of lands conveyed to Willis E. Elliott by deed recorded in the Erie County Clerk's Office in Liber 4732 of Deeds at page 355, 632 feet more or less to the center of Cayuga Creek; thence easterly along the center of Cayuga Creek to its intersection with the west line of lands conveyed to The Allied Bitumens, Inc. by deed recorded August 27, 1947 in Erie County Clerk's Office in Liber 4175 of Deeds at page 106; thence northerly along the west line of lands so conveyed to The Allied Bitumens, Inc. 485 feet to a point; thence westerly at right angles to the last described line, 111.20 feet to a point; thence northwesterly in a straight line 268.75 feet to a point on the center line of Bennett Road distant 65.53 feet northeast of the point of beginning; thence southwesterly along the center line of Bennett Road, 65.53 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 July, 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 Cheektowaga Planning Board and the Erie County Division of Planning have recommended denial of said rezoning because of the detrimental effect such a commercial zone would have on the surrounding residential neighborhood due to the broad range of businesses allowed in a CM-General Commercial District and also because said rezoning would create a "spot zone" which is contrary to proper zoning, now, therefore, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential District to CM-General Commercial District be and is hereby denied.

Upon Roll Call....

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

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

WHEREAS, Broadway Sports Center, Inc. has filed an application for a Special Use Permit, requesting permission to operate a miniature golf course on premises located at 3500 Broadway, Cheektowaga, New York, and

Item No. 6 Cont'd.

WHEREAS, a public hearing on said application was held before the Town Board of the Town of Cheektowaga on May 19, 1980 at 6:30 P.M.; at which hearing all interested persons were given an opportunity to be heard, and

WHEREAS, the Board is familiar with the aforementioned property; and is fully aware of the fact that approximately 49 motor vehicle accidents have occurred on Broadway in the vicinity of the said property within the past five years, and that in excess of 907 traffic summons for speed violations have issued on Broadway generally within the past year and one-half,

NOW, THEREFORE, BE IT RESOLVED, that the Special Use Permit application for the operation of a miniature golf course at 3500 Broadway, Cheektowaga, New York be and the same hereby is denied on the grounds that such use will increase traffic flow and congestion on Broadway and increase the risk of accident to the motoring public.

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

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

WHEREAS, Louis DiRienzo has applied for a Special Permit for the sale of used automobiles on property located at 3519 Broadway, 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:

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 the 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.

and

WHEREAS, a public hearing was held before the Cheektowaga Town Board 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 said application for a Special Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended denial of said Special Permit for the sale of used automobiles on property located at 3519 Broadway, 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, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 8 Motion by Councilman Wegner, seconded by Councilman Burst

WHEREAS, Jerry Gradl Motors, Inc. has applied for a Special Permit for the sale of used automobiles on property located at 1585 Walden Avenue, 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:

Being part of lot No. 23, Township 11 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:
BEGINNING at a point marked by an iron pipe set in the ground in the northerly line of old Walden Avenue where it is intersected by the east-

NO. 20 NO. 21

erly line of land conveyed by Farmers Loan and Trust Company to Elnathan Bennet by deed recorded in the office of the Clerk of said County of Erie in Liber 58 of Deeds at Page 549, said easterly line being also the easterly line of the parcel of land first described in deed by Fair Land Realty Company to New York State Realty and Terminal Company dated September 19, 1916, recorded in the office of the Clerk of said County of Erie in Liber 1360 of Deeds at Page 246; and running thence westerly, along said northerly line of old Walden Avenue, one hundred forty and twenty hundredths (140.20) feet to a point marked by a monument set in the ground, said point being a corner or angle in the southerly line of that parcel of land appropriated by The People of the State of New York for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map Cover No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 28, 1950; thence northerly, along a jog or offset in said southerly line of said parcel of land appropriated as aforesaid, making an interior angle of 117 degrees, 29 minutes with the preceding course, ninety-six and forty-four hundredths (96.44) feet to a monument set in the ground at another corner or angle in said southerly line of said parcel of land appropriated as aforesaid; thence easterly, along said southerly line of said parcel of land appropriated as aforesaid, making an interior angle of 94 degrees, 39 minutes, 30 seconds with the preceding course, one hundred fifty-two and fifty-eight hundredths (152.58) feet to an iron pipe set in the ground in said easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid; thence southerly, along the easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, making an interior angle of 76 degrees, 16 minutes, 30 seconds with the preceding course, one hundred seventy-five and seventy-three hundredths (175.73) feet to the point and place of beginning.

CONTAINING four hundred thirty-seven thousandths (0.437) of an acre of land, more or less.

Being the same premises conveyed to Sun Oil Company by deed recorded in Erie County Clerk's Office in Liber 5496 Page 290 of Deeds.

And the Grantor does also remise, release and quitclaim unto the Grantee the following described tract or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York:

Being part of Lot 24, Township 11, Range 7 of the Holland Land Company's Survey and also being part of Subdivision Lots 123 and 124 as shown on a map filed in the Erie County Clerk's Office under Cover 372, further bounded and described as follows:

BEGINNING at a point in the north line of Subdivision Lot 123, said point being one hundred eight and sixty hundredths (108.60) feet westerly from the west line of The Avenue as measured in a line drawn westerly at right angles to The Avenue from a point therein two hundred eleven and seventy-five hundredths (211.75) feet northerly from the point of intersection of said west line of The Avenue with the north line of Dale Road (formerly Walden Avenue); thence westerly at right angles to The Avenue one and forty hundredths (1.40) feet to the northwest corner of Subdivision Lot 123; thence southerly parallel with The Avenue and along the west line of Subdivision Lots 123 and 124 fifty-two and sixty-two hundredths (52.62) feet; thence easterly at right angles to The Avenue four tenths (0.40) of a foot; thence northerly fifty-two and sixty-two (52.62) feet to the point of beginning,

and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 5th day of May, 1980, at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit as per the attached site plan and with the following recommendations:

NO. 20 NO. 21

Item No. 8 Cont'd.

1. No display of cars shall be allowed in the road area between the entrance and/or exit on Walden or entrance and/or exit on Dale Road.

2. The 10' setback areas must be maintained with grass and low level shrubs and/or ground cover.

3. The existing planters should be maintained as planters and be maintained in good appearance.

4. There shall be no parking in the setback area.

5. Customer and employee parking shall be clearly identified.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit be and hereby is granted with stipulations as set forth above.

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. Dechstetter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication August 7, 1980; last publication August 7, 1980; and that no more than six days intervened between publications.

Gladys M. Dechstetter

Sworn to before me this 8th

day of August, 1980

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

NO. 20

NO. 21

Legal Notice

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 4th day of August, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Burst

WHEREAS, Jerry Gradl Motors, Inc. has applied for a Special Permit for the sale of used automobiles on property located at 1585 Walden Avenue, 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:

Being part of Lot No. 24, Township 11 and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point marked by an iron pipe set in the ground in the northerly line of old Walden Avenue where it is intersected by the easterly line of land conveyed by Farmers Loan and Trust Company to Elnathan Bennet by deed recorded in the office of the Clerk of said County of Erie in Liber 58 of Deeds at Page 549, said easterly line being also the easterly line of the parcel of land first described in deed by Fair Land Realty Company to New York State Realty and Terminal Company dated September 19, 1916, recorded in the office of the Clerk of said County of Erie in Liber 1360 of Deeds at Page 246; and running thence westerly, along said northerly line of old Walden Avenue, one hundred forty and twenty hundredths (140.20) feet to a point marked by a monument set in the ground, said point being a corner or angle in the southerly line of that parcel of land appropriated by The People of the State of New York for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works entitled, "Ontario Thruway - Erie County - Town of Cheektowaga - Dist. No. 5 - Map No. 252 Par. No. 252" dated April 20, 1950 and filed in the office of the Clerk of said County of Erie on November 28, 1950; thence northerly, along a jog or offset in said southerly line of said parcel of land appropriated as aforesaid, making an interior angle of 117 degrees, 29 minutes with the preceding course, ninety-six and forty-four hundredths (96.44) feet to a monument set in the ground at another corner or angle in said southerly line of said parcel of land appropriated as aforesaid; thence easterly, along said southerly line of said parcel of land appropriated as aforesaid, making an interior angle of 94 degrees, 39 minutes, 30 seconds with the preceding course, one hundred fifty-two and fifty-eight hundredths (152.58) feet to an iron pipe set in the ground in said easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid; thence southerly, along the easterly line of the parcel of land firstly described in deed to New York State Realty and Terminal Company dated and recorded as aforesaid, making an interior angle of 76 degrees, 16 minutes, 30 seconds with the preceding course, one hundred forty-two and seventy-eight hundredths (142.78) feet to the point or place of beginning.

Situate in the Town of Cheektowaga, County of Erie and State of New York.

Being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey and also being part of Subdivision Lots 123 and 124 as shown on a map filed in the Erie County Clerk's Office under Cover 372, further bounded and described as follows:

BEGINNING at a point in the north line of Subdivision Lot 123, said point being one hundred eight and sixty hundredths (108.60) feet westerly from the west line of The Avenue as measured in a line drawn westerly at right angles to The Avenue from a point therein two hundred eleven and seventy-five hundredths (211.75) feet northerly from the point of intersection of said west line of The Avenue with the north line of Dale Road (formerly Walden Avenue); thence westerly at right angles to The Avenue one and forty hundredths (1.40) feet to the northwest corner of Subdivision Lot 123; thence southerly parallel with The Avenue and along the west line of Subdivision Lots 123 and 124 fifty-two and sixty-two hundredths (52.62) feet; thence easterly at right angles to The Avenue four tenths (0.40) of a foot; thence northerly fifty-two and sixty-two (52.62) feet to the point of beginning,

and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 5th day of May, 1980, at 6:30 o'clock P.M. of said day for the purpose of considering said application for a Special Permit, and

WHEREAS, the Cheektowaga Planning Board has recommended approval of the Special Permit as per the attached site plan and with the following recommendations:

1. No display of cars shall be allowed in the road area between the entrance and/or exit on Walden or entrance and/or exit on Dale Road.
2. The 10' setback areas must be maintained with grass and low level shrubs and/or ground cover.
3. The existing planters should be maintained as planters and be maintained in good appearance.
4. There shall be no parking in the setback area.
5. Customer and employee parking shall be clearly identified.

NOW, THEREFORE, BE IT RESOLVED that said Special Permit and hereby is granted with stipulations as set forth above.

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 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 August 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 of minutes of meeting of said Board, and such minutes appear at item 8, inclusive, of said book.

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

Item No. 9 Motion by Councilman Wegner, seconded by Councilman Swiatek

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 18th day of August, 1980 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 7th day of August, 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 18th day of August, 1980 at 7:00 P.M. 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 intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets.

Street	Direction	Entrance Street	Traffic Stops	Sign Location
MAPLEVIEW ROAD	North-south	ROST PLACE	Eastbound	S.W. Corner
BARBADOS DRIVE	East-west	JEROME DRIVE (west branch)	Northbound	S.E. Corner
BARBADOS DRIVE	East-west	JEROME DRIVE (east branch)	Northbound	S.E. Corner
BARBADOS DRIVE	East-west	WOODGATE DRIVE	Northbound	S.E. Corner
BARBADOS DRIVE	East-west	WOODGATE DRIVE	Southbound	N.W. Corner
WOODGATE DRIVE	North-south	LEHAVRE DRIVE	Eastbound	S.W. Corner
WOODGATE DRIVE	North-south	LEHAVRE DRIVE	Westbound	N.E. Corner
BARBADOS DRIVE (westerly portion)	North-south	BARBADOS DRIVE (southerly portion)	Westbound	N.E. Corner

ARTICLE XIII

Truck Exclusions

Section 130. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

PHILIP DRIVE - Entire Street

CASTLEWOOD DRIVE - Entire Street

AUTUMNWOOD DRIVE - Entire Street

FRANTZEN DRIVE - Entire Street

NO. 20 NO. 21

Item No. 9 Cont'd.

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

Dated: August 4, 1980.

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

NO. 20

NO. 21

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 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 August 7, 1980; last publication August 7, 1980; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 8th day of August, 1980

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

NO. 20

NO. 21

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 18th day of August, 1980 at 7:00 P.M. 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 intersections are designated as stop intersections and stop signs shall be erected on the following entrance streets.

Street, MAPLEVIEW ROAD; **Direction**, North-south; **Entrance Street**, ROST PLACE; **Traffic Stops**, Eastbound; **Sign Location**, S.W. Corner

Street, BARBADOS DRIVE; **Direction**, East-west; **Entrance Street**, JEROME DRIVE (west branch); **Traffic Stops**, Northbound; **Sign Location**, S.E. Corner

Street, BARBADOS DRIVE; **Direction**, East-west; **Entrance Street**, JEROME DRIVE (east branch); **Traffic Stops**, Northbound; **Sign Location**, S.E. Corner

Street, BARBADOS DRIVE; **Direction**, East-west; **Entrance Street**, WOODGATE DRIVE; **Traffic Stops**, Northbound; **Sign Location**, S.E. Corner

Street, BARBADOS DRIVE; **Direction**, East-west; **Entrance Street**, WOODGATE DRIVE; **Traffic Stops**, Southbound; **Sign Location**, N.W. Corner

Street, WOODGATE DRIVE; **Direction**, North-south; **Entrance Street**, LE HAVRE DRIVE; **Traffic Stops**, Eastbound; **Sign Location**, S.W. Corner

Street, WOODGATE DRIVE; **Direction**, North-south; **Entrance Street**, LE HAVRE DRIVE; **Traffic Stops**, Westbound; **Sign Location**, N.E. Corner

Street, BARBADOS DRIVE (westerly portion); **Direction**, North-south; **Entrance Street**, BARBADOS DRIVE (southerly portion); **Traffic Stops**, Westbound; **Sign Location**, N.E. Corner

ARTICLE XIII

Truck Exclusions

Section 130. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

PHILIP DRIVE - Entire street

CASTLEWOOD DRIVE - Entire street

AUTUMNWOOD DRIVE - Entire street

FRANTZEN DRIVE - Entire street

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

RICHARD M. MOLESKI
Town Clerk

DATED: August 4, 1980
PUBLISHED: August 7, 1980

NO. 20

NO. 21

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

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 18th day of August, 1980 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES, on the 7th day of August, 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 18th day of August, 1980 at 7:00 P.M. 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 X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

A. No parking this side or one side parking

PEINKOFER DRIVE	North side	from the east curbline of BALBACH DRIVE to a point seventy-five (75) feet east of the east curbline of BALBACH DRIVE

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

SHERRY DRIVE	East side and South side	from the existing NO PARKING limit (approximately 500 feet south of south curbline of SEBRING DRIVE) to beginning of east curbline of cul-de-sac (150± feet west of BORDEAUX DRIVE
BORDEAUX DRIVE	East side	from the north curbline of DAVIDSON DRIVE to the south curbline of SHERRY DRIVE
PHILIP DRIVE	West side	from the north curbline of BARBADOS DRIVE to the south edge of the south shoulder of LOSSON ROAD
BARBADOS DRIVE	North side and West side	a portion from the west curbline of PHILIP DRIVE to the north curbline of LE HAVRE DRIVE
JEROME DRIVE	East side of east branch South side of south branch and West side of west branch	from the south curbline of BARBADOS DRIVE and JEROME DRIVE (east branch) thence southerly, westerly and northerly to the south curbline of BARBADOS DRIVE with the west branch of JEROME DRIVE
BARBADOS DRIVE	South side and East side	a portion from 82 feet west of the west curbline of JEROME DRIVE (west branch), thence extending westerly and southerly 280 feet.

NO. 20 NO. 21

Item No. 10 Cont'd.

C. No parking here to corner.

PEINKOFER DRIVE	North side	from the east curbline of BALBACH DRIVE TO A POINT 50 feet easterly thereof.
MARYVALE DRIVE	North side	from the west curbline of CAYUGA ROAD to a point 200 feet westerly thereof.

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

Dated: August 4, 1980

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

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 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 August 7, 1980; last publication August 7, 1980; and that no more than six days intervened between publications.

Gladys M. Decker

Sworn to before me this 8th

day of August, 1980

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 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 18th day of August, 1980 at 7:00 P.M. 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 X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

A. No parking this side or one side parking

PEINKOFER DRIVE, North side, from the east curbline of BALBACH DRIVE to a point seventy-five (75) feet east of the east curbline of BALBACH DRIVE

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

SHERRY DRIVE, East side and South side, from the existing NO PARKING limit (approximately 500 feet south of south curbline of SEBRING DRIVE) to beginning of east curbline of cul-de-sac (150± feet west of BORDEAUX DRIVE)

BORDEAUX DRIVE, East side, from the north curbline of DAVIDSON DRIVE to the south curbline of SHERRY DRIVE

PHILIP DRIVE, West side, from the north curbline of BARBADOS DRIVE to the south edge of the south shoulder of LOSSON ROAD

BARBADOS DRIVE, North side and West side, a portion from the west curbline of PHILIP DRIVE to the north curbline of LE HAVRE DRIVE

JEROME DRIVE, East side of east branch South side of south branch and West side of west branch, from the south curbline of BARBADOS DRIVE and JEROME DRIVE (east branch) thence southerly, westerly and northerly to the south curbline of BARBADOS DRIVE with the west branch of JEROME DRIVE

BARBADOS DRIVE, South side and East side, a portion from 62 feet west of the west curbline of JEROME DRIVE (west branch), thence extending westerly and southerly 250 feet

C. No parking here to corner.

PEINKOFER DRIVE, North side, from the east curbline of BALBACH DRIVE to a point 50 feet easterly thereof

MARYVALE DRIVE, North side, from the west curbline of CAYUGA ROAD to a point 200 feet westerly thereof

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

RICHARD M. MOLESKI
Town Clerk

DATED: August 4, 1980
PUBLISHED: August 7, 1980

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

WHEREAS, there is an existing Town owned pedestrian signal at Dingens and So. Colby Streets, and

WHEREAS, the entranceway for the Dingens Park Pool Complex is opposite Dingens and Alaska Streets, NOW, THEREFORE, BE IT

RESOLVED that James Matecki, Facilities Department Director, be and hereby is directed to proceed with the relocation of the traffic signal from the intersection of So. Colby and Dingens Streets to the intersection of Alaska and Dingens Street, utilizing labor forces of the Town Facility Department.

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

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on July 7, 1980 for the furnishing of diesel fuel oil, motor oils, anti-freeze etc., for the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bids be awarded to the lowest responsible bidders meeting specifications as set forth in the tabulation of the Superintendent of Hiwhgays, a copy of which is attached hereto and made a part hereof.

*See next five (5) pages for analysis, tabulation, and report.

#2 Diesel Fuel, Oils, Motor oils, Kerosene, Lubricants ETC.

1980 - 1981

	DAVIS HOWLAND OIL CO. 200 Anderson Ave. Rochester NY Del Parshall 473-6650	SUPERIER LUBR. CO. INC. 32 WARD RD. NO. TONA. NY 693 6050	AMERICAN LUB. 619 Bailey Ave. 827 8300	SOUTHGATE OIL CO. 70 Ransier Dr. W. Seneca, NY 674 8900
KEROSENE OIL	92.95 per 55 gal.			1.25 per gal. 68.75 per 55 gal.
PER GALLON	1.69	no bid	No bid	
HYDRAULIC OIL #300 R/O Hydr.			Item #1044	Mobil DTE 2.35 per gal.
per Gallon	2.24	2.29	2.58	
Per 55 gal. dr.	123.28	125.95	Item #1044 141.90	Mobil DTE 25 129.25
PENETRATING OIL (Aerosol cans)			no bid	VALVOLINE #945 12-15oz can cases 16.92 per case
per case	22.75	46.80		
MOTOR OILS			DELO 100-30	MOBIL 30 Non Det.
SAE 30 Non Det.			18.96	2.82g/16.92 per ca.
per case	20.52	no bid		
per 55 gal. dr.	124.30	145.75	Item 1033 139.15	2.50g/137.50 per 55 gal.
XHD #30			Delo 200 - 30	MOBIL DELVAC 1130
per case	20.94	no bid	20.00	2.64g/15.84
per 55 gal. dr.	131.45	147.40	Item 1036 145.20	2.38g/130.98
SUPER D. #30 Service #CACBCCCD	22.32	no bid	Delo 400-30	MOBIL DELVAC 1230 2.83g/16.98
per case			20.88	
per 55 gal. dr.	142.45	147.95	Item 1143 154.00	2.57g/141.35
SPECIAL 10W-40		17.95	Special 10W30	MOBIL SUPER 10W-40
per case	22.62		24.06	3.78g/22.68
per 55 gallon dr.	146.85	151.25	Item #1158	3.52g/192.60

	DAVIS HOWLAND OIL CO.	SUPERIOR LUBR. CO. INC. 32 Ward Rd. No. Tona 693 6050	AMERICAN LUB. 619 Bailey 726 8300	SOUTHGATE OIL CO. 70 Ransier Rd. W. Seneca, NY 674 8900
EAR AND TRANSMISSION OILS			Texamatic 9226 Dexron II	MOBIL ATF 220 DEXTRON II
Transmission Type A	.29 per gal.			
per lb.	.44 per lb.	.52	3.01 per gal.	3.09g/18.54 per case
per 120 lb. drum	52.80	62.40	165.55 per 55ga.	3.41g/187.55 (55 gal)
Multi-Purpose Gear Oil SAE 90				MOBILUBE 80W-90
per lb.	.49 per lb.	.53	.4866 per lb.	.49 lb/18.62 per 38 lb.
per 120 lb. drum	58.80	63.60	#1154 58.40	.46 lb/55.20 (120 lb.) .41 lb;164.00 (400 lb.)
Multi-Purpose Gear Oil SAE 140				MOBILLUBE 85W-140
per lb.	.51 per lb.	.54	.496	.49 lb/18.62 per 38 lb. pail
per 120 lb. drum	61.20	64.80	Item #1072 59.52	.46 lb/55.20 (120) .41 lb/164.00(400)
FWD #50	per 35 lb.		no bid	MOBILUBE C 90
per 5 lb. pail	16.45	no bid		.445 lb./16.91 per 38 lb. pail
per 120 lb. drum	43.35	no bid	no bid	.415/49.80 (120) .365/146.00(400)
Lubriplate 630-2			#1118 Polymoly	MOBIL GREASE 77
per 35 lb. pail	43.40	46.90	31.59	60/14oz. cart. 44.80per case
per 120 lb. drum	124.80	149.95	100.08	.555 lb/21.09 (38) .525 lb/63.00(120) .475 lb/190.00(400)
Lubriplate #70				MOBIL [illegible] SPEC.
per 35 lb. pail	39.90	40.95	no bid	.67/lb/25.46 (38lb.)
per 120 lb. drum	112.80	128.40	no bid	.64 lb/76.80 (120) .59 lb/236.00 (400) 60/14oz cart. 50.80 per case

	DAVIS HOWLAND OIL CO.	SUPERIOR LUBR. CO. INC. 32 Ward Rd. No. Tonawanda 693 6050	AMERICAN LUB. 619 Bailey Ave. Buffalo. NY 827 8300	SOUTHGATE OIL CO. 70 Ransier Dr. 674.8900
EXTRA HEAVY DUTY BRAKE FLUID				
per Gallon	$9.69	no bid	no bid	16.37 per gal.
per 5 gallon pail	48.45	54.95	no bid	81.86 per 5 ga. pail
PERMANENT ANTI FREEZE		no bid	4.08 per gal.	4.73 per gal.
per gallon	3.87			
per 55 gallon drum	212.85	219.45	224.40	260.15 per 55 gal. dr.
CHEVRON DELO 400 Motor oil SAE 15W-40 or equal		no bid	23.10	3.09/g/18.54 per case
per case (qts.)	23.04			Mobil DELVAC- Super 15-W-40
per 55 gal. drum	156.20 or 2.84 per gal.	153.45	#6517 156.75	2.83 g/155.65
DELIVERIES IN 55 gallon drums and in cases				
DRUM DEPOSIT	$17.00	20.00	17.00	17.00 (55 gal) and 400 lb. units
			"PRICES SUBJECT TO CHANGE WITH NOTICE"	see page 4 for diesel fuel oil b
#2 DIESEL FUEL OIL FOR CHEEKTOWAGA HIGHWAY DEPT.				
PER GALLON	No bid	no bid	no bid	

SOUTHGATE OIL CO. HAS ADDITIONAL ITEMS ATTACHED HERETO

NOTE: NO BIDS REPORTED FROM: DUBOIS CHEMICAL DIVISION -- SITARSKI PETROLEUM CO. -- STEWART WARNER AUTO SAF

	ASHLAND OIL INC.	.URK FUEL OIL CO.	NEWMAN R.B. FUEL, CORP.	SOUTHGATE OIL CO.
	740 Grand Island Blvd. Tonawanda, NY 877 7177 (order Dept.)	1276 Harlem Rd. Cheekt. NY 892 0239	700 Gr. Island Blvd. Tonawanda, NY 874-6200	70 Ransier Dr. W. Seneca, NY
DIESEL FUEL OIL #2	.9750 per gal. less .01 per gal. price in effect until quotation changes - price in effect till July 16, 1980	.8189 per gal. subject to escalation clause	.8400 per gal.	.858 per gal.

Town of Cheektowaga | Bid Sheet Continued | Southgate Oil Company

Mobil Fluid 423 - Substitute for transmission & hydraulic fluids	2.96 per gallon	162.80 per 55 gal.
Mobil Fleet 230- Substitute for Super D#30	2.57 per gallon	[illegible] per gal.
Mobil Grease MP- Substitute for general purpose grease	60/14 oz cartridges 45.80 per case .575 lb/21.85 per 38 lb pail	.545 lb/[illegible].40 per lb. .495 lb/[illegible].00 per lb.
Mobil Grease 532 - Substitute * for Lubriplate #70	.596 lb/22.61 per 38 lb pail	.565 lb/[illegible].80 per lb. .515 lb/[illegible].00 per lb.
Mobil Gear 634- Substitute for Lubriplate gear oil	.44 lb/16.72 per 38 lb pail	.41 lb/49.[illegible] per Dr. .36 lb/144.00 per [illegible] lb. Dr.

Terms: Net 30 Days

Drum Deposits $17.00 for 55 gallon Drum [illegible] and for 400 pound Drum units.

Please See Attached Data & Specification Sheets for all products listed in this proposal.

Please note: all prices quoted herein are subject to decreases and increases as we receive them from our suppliers.

Date 27 June 1980

Name SOUTHGATE OIL COMPANY, INC

Address 70 Ransier Drive
West Seneca, New York 14224

Mailing Address P.O. Box A
Elma, New York 14059

Officer J. Dennis Sullivan
J. Dennis Sullivan

Phone 716-674-8900

NO. 20

NO. 21

Item No. 12 Cont'd.

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

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

WHEREAS, the Niagara Frontier Port Authority owns property in the Town of Cheektowaga, known as the Greater Buffalo International Airport, and

WHEREAS, the Town of Cheektowaga has provided special police protection and service at the Airport for a period in excess of ten years, and

WHEREAS, the written Agreement between the Town and the Authority for such special police protection and service has expired, but has been renewed annually on a verbal basis,

NOW, THEREFORE, BE IT RESOLVED that the Town Attorney of the Town of Cheektowaga, along with the Chief of Police of the Town and Mr. John Malloy, C.P.A., in consultation with the Town Board, draft a written Agreement for execution by and between the Town and the Authority for the special police protection and service provided by the Town at the Greater Buffalo International Airport.

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

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

WHEREAS, the Town of Cheektowaga is participating in the State and Federal Grants Program to abate water pollution in the Cheektowaga Sanitary Sewer District #5 and service area, which program includes sewer system rehabilitation, and

WHEREAS, the Commissioner of Environment and Planning, County of Erie, has amended the moratorium to allow sanitary sewer taps in selected areas, and

WHEREAS, with the creation of Sanitary Sewer District #8, land owners are desirous of receiving Town Board approval for construction in the area south of Genesee Street, and

WHEREAS, a connection to an 18" diameter sewer on Lydia Lane is available to serve Sanitary Sewer District #8, but which connection to the Lydia sewer is excluded from the Order on Consent of the Commissioner of Environment and Planning, and

WHEREAS, it is desirable to obtain data to determine whether localized surcharging during wet weather periods exists, and

WHEREAS, consulting engineering services are needed in order to make a determination of sanitary sewer capacities, including storm weather conditions in the Lydia Lane sanitary sewer system, the Union Road (east side) sanitary sewer system, and other sanitary sewers that may be selected by the Town Engineer for monitoring, and

WHEREAS, Nussbaumer & Clarke, Inc., has been found to be qualified to perform the required services, NOW, THEREFORE, BE IT

Item No. 14 Cont'd.

RESOLVED that the proposal for engineering services as submitted by Nussbaumer & Clarke, Inc. and dated July 31, 1980 to the Town Engineer be and hereby is approved, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign the agreement with Nussbaumer & Clarke, Inc. for the required flow monitoring and analysis of selected sanitary sewers in the Town's Sanitary Sewer District #7.

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

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS the cost of insurance is increasing and in need of control, and

WHEREAS the Upstate Municipal Risk Association has been organized to help local governments control and reduce insurance costs, NOW, THEREFORE, BE IT

RESOLVED that the sum of $225.00 is authorized for the payment of a one-time organization fee and first-year dues for the Town of Cheektowaga to join the Upstate Municipal Risk Association, and BE IT FURTHER

RESOLVED that Kenneth J. Meyers, Supervisor of the Town of Cheektowaga is designated to represent the Town and vote at Association meetings.

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

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

WHEREAS, the Town Board has previously adopted a resolution on July 7, 1980 awarding bids to various companies for the various types of street and traffic control signs, and

WHEREAS, after an inventory of signs, posts, brackets, nuts and bolts, the Superintendent of Highways has determined that it is necessary to purchase street name signs and other necessary items relating to the traffic control of the town, and

WHEREAS, the cost of the signs and other materials will be paid from the general fund, NOW, THEREFORE, BE IT

RESOLVED that the Superintendent of Highways be and hereby is authorized to purchase various types of street and traffic control signs and other necessary items relating to signs and traffic control, and BE IT FURTHER

RESOLVED that the costs of the signs and other materials will be paid from the general fund.

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

Item No. 17 Request for permit to install caution-flashing signal at Dingens & Alaska Streets.
Item Withdrawn.

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

WHEREAS the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of an "Employment Counselor" in the Cheektowaga Youth Bureau, and

WHEREAS the Erie County Department of Personnel has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of "Employment Counselor" 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. 19 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Sandra L. Metros, a clerk-typist in the Justice Court, has requested an extension of her maternity leave for a period of three weeks, without pay, from August 4 through August 22, 1980, NOW, THEREFORE, BE IT

RESOLVED, that Sandra L. Metros be and hereby is granted an extension of her maternity leave of absence, in accordance with the current Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association, for a period of three weeks, without pay, from August 4 through August 22, 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 Johnson

WHEREAS, Mr. Lawrence E. Kowal employed in the Cheektowaga Facilities Department is a member of the 42nd Aviation Battalion, N.Y.A.R.N.G. AND

WHEREAS, Mr. Kowal is required to perform military duties during the period from July 26, 1980 to August 9, 1980 at Fort Drum, Watertown, New York AND

WHEREAS, Mr. Kowal's orders were submitted to the Facilities Department after the July 21, 1980 Town Board Meeting, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby grant Mr. Lawrence Kowal, Cheektowaga, New York, Military Service Leave as defined in Section 242 and 243 of the Military Laws of the State of New York, AND BE IT FURTHER

RESOLVED, that said Leave shall be retroactive to July 26, 1980 to correspond with Mr. Kowal's orders from the Division of Military and Naval Affairs.

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

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

RESOLVED that Edward J. Leak, of Depew, New York be and hereby is granted a six (6) month leave of absence, without pay, from his

NO. 20

NO. 21

Item No. 21 Cont'd.

position of "Director of Recreation", effective August 16, 1980; said leave of absence without pay for the purpose of engaging in another employment opportunity.

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

*RESOLUTION DENIED!

Item No. 22 Appointment of Temporary Position of Director of Recreation.
Item withdrawn due to the results of Item No. 21.

Item No. 23 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, a vacancy exists in the position of Clerk-Typist in the Building Inspector's Office, AND

WHEREAS, said position has been posted in accordance with the bargaining agreement between the Town of Cheektowaga Employees' Association and the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Jeanne Morand of presently employed as a Clerk-Typist in the Police Department, be and hereby is transferred to the Building Inspector's Office at her present annual salary, said transfer to take effect on August 18, 1980.

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

Item No. 24 Appointment of Police Officers.
Item Withdrawn.

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

RESOLVED that Fred Miller, of Cheektowaga, New York, be and hereby is transferred from his seasonal position of Recreation Attendant in the Cheektowaga Recreation Department, to a seasonal laborer in the Sanitation Department, at the rate of $3.10 per hour; said transfer effective July 25, 1980.

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

Item No. 26 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS the annual Convention of the New York State Traffic Safety Boards will be held at Westbury, New York, on August 10-13, 1980, and

WHEREAS the Cheektowaga Traffic Safety Commission has requested permission from the Town Board to send a representative to the above annual Convention, NOW, THEREFORE, BE IT

RESOLVED that Alex Thrun, of , member of the Cheektowaga Traffic Safety Commission, be and hereby is authorized to attend the annual Convention of the New York State Traffic Safety Boards, as a representative of the Cheektowaga Traffic Safety Commission, and BE IT FURTHER

Item No. 26 Cont'd.

RESOLVED that Alex Thrun shall be reimbursed for all necessary registration fees and travel expenses in connection with said Convention at a sum not to exceed $500.00.

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

Item No. 27 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, due to the poor condition of many Town roads, it is the intention of the Town to pursue a program of improvements to such roads by means of reconstruction, scarification or repaving, AND

WHEREAS, funds for such an undertaking have not been provided for in the annual budget of the Highway Department, AND

WHEREAS, the cost of such a program may be financed through bonding as an alternative method of financing with the least budgetary impact, AND

WHEREAS, evaluation of Town roads will be necessary to determine specific road improvement needs, establish priorities and determine the cost of said improvements for incorporation into a highway improvements bond project, AND

WHEREAS, such a study is also necessary to permit the Highway Superintendent to estimate costs for highway rehabilitation in order to take advantage of funding available to the Town under the New York State Transportation Bond Issue's Safer Roads Program, AND

WHEREAS, the engineering firm of McFarland-Johnson has submitted a proposal for a study and evaluation of Town roads, NOW, THEREFORE, BE IT

RESOLVED that the firm of McFarland-Johnson Engineers, Inc. be and hereby is retained to prepare a Street Evaluation Report, as per the attached proposal, at a fee of $500.00 per 1,500 feet of roadway survey, said fee not to exceed $10,000., and said report to contain cost estimates for recommended remedial action, AND BE IT

FURTHER RESOLVED that said fee be temporarily financed by an advance from the General Fund, AND BE IT

FURTHER RESOLVED that said report be submitted to the Town Board and Highway Superintendent, AND BE IT

FURTHER RESOLVED that the Supervisor be and hereby is authorized to sign the attached proposal on behalf of the Cheektowaga Town Board.

*See next two (2) pages for proposal for study and evaluation of Town roads.

NO. 20 NO. 21

McFARLAND • JOHNSON ENGINEERS, INC.
1945 SHERIDAN DRIVE • BUFFALO, NEW YORK 14223 • (716) 874-5939

July 30, 1980

The Honorable Town Board
Town of Cheektowaga
Town Hall
Broadway and Union Road
Cheektowaga, New York 14227

Attention: Mr. Chester L. Bryan, P.E.
Town Engineer

Re: Engineering Services Proposal
Street Evaluation Engineer's Report

Gentlemen:

In accordance with discussion with Councilman Thomas Johnson, Mr. Fred Wnek, Highway Superintendent, and Mr. Chester Bryan, Town Engineer, we have prepared the following brief proposal outlining our approach and estimated fee to complete a Town Street Evaluation Report on selected streets.

PROPOSAL

Understanding of the Proposed Project

The Town of Cheektowaga is establishing a street renovation program. A street evaluation report is necessary to evaluate the condition of 10 to 15 selected streets, each approximately 1500' long, to determine the existing street structural condition and prepare cost estimates to rehabilitate the street.

SCOPE OF SERVICES

A. Street Evaluation Engineer Report

Development of the report will require the following basic services from the Engineer and the Town:

1) The Town will select 10 to 15 streets to be evaluated based on rehabilitation need.

2) The Engineer will inspect each of the streets and mark the location on the street where exploratory excavation are to be made by the Town Highway Department.

3) The Town Highway maintenance forces will make the ecploratory excavation at pre-determined time for inspection by the Engineer and permanently repair the excavation upon inspection.

4) The Engineer will inspect the existing pavement structure to determine the general condition of the pavement structure and note areas of pavement distress.

5) The Engineer will prepare a Street Evaluation Engineer's Report indicating the existing condition of each street, the recommended method of rehabilitation and the estimated cost of rehabilitating each street.

PROPOSED FEE

We propose our fee for the above services to be $500/each 1500' of street. Assuming the following street length distributions, an estimate of the total fee would be $5,500.

Street	Length	Cost
1	3000 LF Street	$1,000
1	4500 LF Street	$1,500
2	1500 LF Street	$1,000
6	1000 LF Street	$2,000
10 Streets	Totaling	$5,500

We thank you for the opportunity to submit this proposal and trust the above approach will meet with your approval. Your signature at the bottom of this letter indicates acceptance of the proposal and will serve as our Agreement. Should you have any questions, please do not hesitate to contact us.

Very Truly Yours,

McFARLAND-JOHNSON ENGINEERS, INC.

Peter F. Schregel, P.E.
Vice President

PFS/mk

cc: Councilman Thomas Johnson
Fred Wnek, Superintendent of Highways

Agreed:

TOWN OF CHEEKTOWAGA

by_____ Date_____
Supervisor

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. 28A Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located east of 315 Zoerb Avenue, Cheektowaga, New York (Tax Account No. 3-810, Map Cover No. 2194) and according to the Assessor's Office records is owned by Benderson Development Corporation, 570 Delaware Avenue, Buffalo, New York 14202, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described, and BE IT FURTHER

RESOLVED that a clean-up resolution relating to the above property which listed an incorrect Tax Account No. and was adopted by the Town Board at a regular meeting on July 21, 1980, be and hereby is rescinded.

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

Item No. 28B Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the front of the vacant lot east of 756 French Road, Cheektowaga, New York (Tax Account No. 2-331) and according to the Assessor's Office records is owned by Castine et al., Inc. 600 Cayuga Road, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28C Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at William Street between Starlite Avenue and Tamark Court, Cheektowaga, New York (Tax Account No. 3-828), and according to the Assessor's Office records is owned by John Michalik, Buffalo, New York 14206, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming

NO. 20 NO. 21

Item No. 28C Cont'd.

a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28D Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the southeast corner of Slate Drive and French Road, Cheektowaga, New York (Tax Account No. 2-386-19) and according to the Assessor's Office records is owned by Bernard Ceaser, Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28E Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 40 Glenwood Court, Cheektowaga, New York and according to the Assessor's Office records is owned by Norman J. Mattar, , Williamsville, New York 14221, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28F Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the vacant property situated north of 21 Cunard Avenue, Cheektowaga, New York (Tax Account No. 29-277) and according to the Assessor's Office records is owned by Henry F. Wojtkowski, Hamburg, New York 14075, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds and accumulated debris to prevent the

NO. 20 NO. 21

Item No. 28F Cont'd.

premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28G Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the vacant lot next to 570 French Road, Cheektowaga, New York (Tax Account No. 45-516, Map Cover 2288, Sublot 165) and according to the Assessor's Office records is owned by Sam Levy, c/o Dr. Lewis Edelman, Cheektowaga, New York 14227, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28H Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the northwest end of Hyland Road, Cheektowaga, New York (Tax Account No. 25-192 and 25-193) and according to the Assessor's Office records is owned by Jiggs Lewin, Buffalo, New York 14226, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds accumulated debris and junked motor vehicle to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28I Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 32 Windwood Court, Cheektowaga, New York and according to the Assessor's Office records is owned by Lawrence J. Mattar, Buffalo, New York 14202, and

NO. 20 NO. 21

Item No. 28I Cont'd.

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28J Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 25-29 Simpson Drive, Cheektowaga, New York and according to the Assessor's Office records is owned by Lawrence J. Mattar, Buffalo, New York 14202, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28K Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 12 Trent Square, Cheektowaga, New York and according to the Assessor's Office records is owned by Lawrence J. Mattar, Buffalo, New York 14202, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28L Motion by Councilman Johnson, Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 37 Glenwood Court, Cheektowaga, New York and according to the Assessor's Office records is owned by Lawrence J. Mattar, Buffalo, New York 14202, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming

NO. 20 NO. 21

Item No. 28L Cont'd.

a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 28M Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 45-51 Sandstone Drive, Cheektowaga, New York and according to the Assessor's Office records is owned by Lawrence J. Mattar, , Buffalo, New York 14202, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cleaning up the high weeds to prevent the premises from becoming a hazard to the health and safety of others, now, therefore, BE IT

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 29 Motion by Councilman Johnson, seconded by Councilman Burst

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to perform the following in the Town of Cheektowaga:

HARLEM ROAD

Install 11 - 16000 Lumen HPS lamps @ $75.00 each
Remove 17 - 6000 Lumen Incandescent lamps @ $53.48 each
Remove 3 - 10000 Lumen Incandescent lamps @ $70.76 each

DINGENS STREET

Install 1 - 16000 Lumen HPS lamp at $75.00 each
Remove 1 - 10000 Lumen Incandescent lamp @ $70.76 each

AND BE IT

FURTHER RESOLVED that the above will represent a total annual decrease to the Town's General Lighting District of $292.20, in accordance with the attached proposal which is hereby made a part of this resolution.

*See Next Page for Street Lighting Proposal

July 25, 1980

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Harlem Road

Install 11 - 16000 lumen HPS lamps @ $75.00 ea. ---------- $825.00
(P-7,8A,10,12,14,14A,16,18,19A,21,22A, L-457)

Remove 17 - 6000 lumen inc. lamps @ $53.48 ea. ---------- $909.16
(P-7,8,9,10,11,12,14,14A,15,16,17,18,19,19A,20,21,22,22A, L-457)

Remove 3 - 10000 lumen inc. lamps @ $70.76 ea. ---------- $212.28
(P-8A,14½,14A, L-457)

Annual Decrease ------- $296.44

Dingens Street

Install 1 - 16000 lumen HPS lamp @ $75.00 ea. ---------- $ 75.00
(P-29-1, L-445)

Remove 1 - 10000 lumen inc. lamp @ $70.76 ea. ---------- $ 70.76
(P-29-1, L-445)

Annual Increase ------- $ 4.24

TOTAL ANNUAL DECREASE ------- $292.20

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 29 Cont'd.

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

Item No. 30 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, emergency sanitary sewer repairs were required at:

115 Wallace Avenue	-	Sanitary Sewer District No.	3
Dingens Street near the Park Area	-	" "	3
64 Constance Lane	-	" "	3
159 Eastland Pkwy.	-	" "	5
20 Paula Drive	-	" "	7
118 Goering Drive	-	" "	7

which repairs were ordered by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the vouchers of Pagels Contracting Co., Inc., 33 Homewood Road, Cheektowaga, New York 14227, in the amounts of:

$ 704.12 for 115 Wallace Avenue
$ 352.06 for Dingens Street near the Park Area
$ 704.12 for 64 Constance Lane
$ 924.80 for 159 Eastland Parkway
$ 704.12 for 20 Paula Drive
$ 924.80 for 118 Goering Avenue

to repair cave-ins 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. 31 Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfers are hereby approved:

	FROM	AMOUNT	TO
GENERAL FUND	A.1990.480 (Contingency)	$2,000.00	A.1410.400 (Town Clerk-Office Sup.)
	A.7550.439 (Celebrations)	1,500.00	A.7550.440 (Patriotic Commission)
PART TOWN FUND	B.510 (Estimated Revenues)	1,200.00	B.3620.461 (Refunds of Permits & Fees)
HIGHWAY FUND	DS.5148.170 (Services from Other Govts. - Labor)	11,800.00	DS.5140.173 (Ditches-Labor)
	DM.5130.218 (Machinery-Pumps)	1,000.00	DS.5140.400 (Office Sup.)

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

NO. 20
NO. 21

Item No. 32 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 July 21st, 1980 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS.	AMOUNT
GENERAL FUND	16170, 16175-16344	$ 74,174.46
H.U.D.-C.D.B.G. FUND	247-250	16,281.65
PART TOWN FUND	258-262	1,005.74
SPECIAL DISTRICT FUND	7480-7521	117,654.21
HIGHWAY FUND	5641-5666	11,088.74
TRUST AND AGENCY FUND	836-848	1,109.59
CAPITAL FUND	350	5,976.00
FEDERAL REVENUE SHARING FUND	495-514	37,158.46
		$264,448.85

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 33 Building Permits.
Approved; Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 34 Resolution from Erie County Legislature regarding: Agreements and Contracts for Fiscal Year 1981 - C.E.T.A. Funds.
Received and Filed.

VI. FROM THE TABLE

Item No. 35 Appointment of Working Foreman in Facilities Department.

Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, a vacancy exists for the position of Working Foreman in the Cheektowaga Facilities Department through retirement, AND

WHEREAS, said vacancy was duly advertised in compliance with the Affirmative Action Employment procedures established by the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that Mr. Bernard Wojtkowiak of , Sloan, New York, 14212 is hereby appointed to the position of Working Foreman in the Cheektowaga Facilities Department at the rate of pay applicable as per the Collective Bargaining Agreement between the Town of Cheektowaga and the Supervisory Unit.

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

Item No. 36 Withdrawal of application for 34 acre parcel re: Nob Hill Park Site.

Motion by Councilman Johnson, seconded by Councilman Dux to table the above item until the next regular Town Board Meeting on August 18, 1980.

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

* *

Motion by Councilman Dux, seconded by Councilman Rogowski to Waive 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

* *

VII. SUSPENSION OF RULES

Item No. 37 Hiring of Seasonal Laborer in Sanitation Department.

Motion by Councilman Burst, seconded by Councilman Dux

WHEREAS, the need exists in the Sanitation Department for an additional Seasonal Laborer, NOW, THEREFORE, BE IT

RESOLVED that Richard Wilson, Cheektowaga, New York, be hired in the Sanitation Department as a Seasonal Laborer 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. 38 Call for Public Hearing: Rezoning at from R-Residential to RC-Restricted Business.

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Pasquale Cipolla, President of Bella Vista Development Corporation, has made application and requested the rezoning of property located at 636 French Road, in the Town of 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 August 18, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call....
AYES: Supervisor 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. Leahter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 7, 1980; last publication August 7, 1980; and that no more than six days intervened between publications.

Gladys M. Leahter

Sworn to before me this 8th day of August, 1980

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

NO. 20

NO. 21

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 18th day of August 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Bella Vista Development Corporation to Rezone from R-Residential District to RC-Restricted Business District on property located at 636 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.

COMPLETE RECORD SEARCH
Search No. 560759

Certificate of Complete Record Search, County of Erie against all that plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot Number ninety-four (94), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and more particularly described as follows:-

BEGINNING at a point one hundred seventy and three hundredths (170.03) feet and thirty-three (33) feet northerly from the southeast corner of Lot Number ninety-four (94), said point being on the north line of French Road (sixty-six (66) foot right-of-way); thence in a northerly direction on a bearing north 7°3' east, a distance of one hundred thirty-seven (137) feet to a point; thence easterly on a bearing south 83°25' east, a distance of one hundred nineteen and nine hundredths (119.09) feet to a point, which intersects a curve fifty-five and sixty-three hundredths (55.63) feet arc distance south of the point of curve having a radius of two hundred fifteen and nine hundredths (215.09) feet; thence southerly along said curve an arc distance of fifty-seven and eighty-nine hundredths (57.89) feet to a point of tangent on a reverse curve; thence continuing southerly along said curve, containing a radius of one hundred fifty-five and nine hundredths (155.09) feet an arc distance of eighty-one and eighty-three hundredths (81.83) feet to the point of tangent, still continuing southerly on a bearing south 6°29' west, a distance of three and thirty-five hundredths (3.35) feet to a point on the north line of French Road; thence westerly north 83°25' west, a distance of one hundred fifty-seven and ninety-four hundredths (157.94) feet along said north line of French Road 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
Councilmen:
Frank E. Swiatek
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 7, 1980

NO. 20

NO. 21

Item No. 39 Notice to Bidders - Re-Bid football helmets - Recreation Department.

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, a resolution was adopted by the Town Board at a regular meeting held on July 21, 1980 directing the Town Clerk to advertise for bids for football helmets for the Recreation Department; said bids to be opened on August 4, 1980, AND

WHEREAS, no bids were received on the scheduled date of August 4, 1980, AND

WHEREAS, a request has been made that said football helmets be rebid, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for furnishing of Football Equipment to the Town of Cheektowaga Recreation Department. Information for bidders and specifications may be obtained from the office of RICHARD M. MOLESKI, Town Clerk, AND BE IT FURTHER

RESOLVED that the Town Board will meet at 7:00 P.M., Daylight Savings Time on August 18, 1980 for the purpose of properly opening and reading the sealed bids.

* *

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 August 18, 1980 at 7:00 P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Roads, for Football Helmets.

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 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: August 4, 1980

* *

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

AFFIDAVIT - NEXT PAGE

NO. 20 NO. 21

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

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 7, 1980; last publication August 7, 1980; and that no more than six days intervened between publications.

Gladys M Hechter

Sworn to before me this 8th

day of August, 1980.

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

NO. 20

NO. 21

Legal Notice

NOTICE TO BIDDERS

SEALED PROPOSALS will be received and considered by the Town Board of the Town of Cheektowaga on August 18, 1980 at 7:00 P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Roads, for Football Helmets.

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 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: August 4, 1980
PUBLISHED: August 7, 1980

NO. 20

NO. 21

Item No. 40 Authorize Supervisor to sign bond re: Beach Road Drainage.

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Beach Road Drainage Improvement Project discharges its storm waters into the Scajaquada Creek Tributary T-2A, reworked and relocated by the New York State Department of Environmental Conservation, AND

WHEREAS, NYSDEC required a permit to use Department of Environmental Conservation Flood Control Land for this discharge outlet, AND

WHEREAS, said permit application specifies that a $3,000 bond, or check, must be submitted to the NYSDEC to be used as security that the flood control work will be restored to its original condition, AND

WHEREAS, the cost of a $3,000 bond is $30.00 as quoted by the Town insurance consultant, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorize the Supervisor to sign said bond on behalf of the Town Board as indemnitee for a bond in the amount of $3,000 to be issued by the Fireman's Fund Insurance Company to the NYSDEC for the drainage project at a cost of $30.00.

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

Item No. 41 Authorize Supervisor to sign Change Order for Chapel-Smith Drainage Project.

Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the consulting firm of McFarland-Johnson Engineers, Inc. have approved the following Change Order on the Chapel-Smith Drainage Project, AND

WHEREAS, the scope of work in the Change Order is described in a letter from the Town Engineer dated July 31, 1980 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #1 on the Chapel-Smith Drainage Project, in the sum of $3,433.54 as an addition to the contract of N.A.I. Construction Corporation be approved, AND, BE IT FURTHER

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

*See Next Page for Letter from Town Engineer re: Change Order #1.

Town of Cheektowaga

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

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

July 31, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Change Order #1
Chapel-Smith Drainage Project

Gentlemen:

The consulting engineering firm of McFarland-Johnson Engineers, Inc., have made the following changes to the Chapel-Smith Drainage Project at the request of the Superintendent of the Town of Cheektowaga Highway Department to improve ease of maintenance and improve the flow characteristics of the system.

The changes included addition of one (1) manhole and one (1) catch basin, relocating one (1) catch basin and substituting two (2) catch basins to improve maintenance. The cost breakdown of each change is documented with the Change Order and on file in the Engineering Office.

Attached is a resolution for your consideration.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By Steven T. Marcynski

Steven T. Marcynski,
Senior Engineer Assistant

CLB:STM:mjh

cc: Alfred Wnek,
Highway Superintendent

Item No. 41 Cont'd.

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 Wegner to adjourn the meeting until Wednesday, August 6, 1980 at 5:30 P.M., with a moment of silence in memory of Honorable Justice Thaddeus J. Piusienski.

RICHARD M. MOLESKI
TOWN CLERK

REGULAR ADJOURNED MEETING NO. 20

CHEEKTOWAGA, NEW YORK
AUGUST 6, 1980

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 6th day of August, 1980 at 5:30 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Councilman Donald J. Wegner

ALSO PRESENT WAS: Richard M. Moleski, Town Clerk.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Chapel Avenue Reconstruction, Phase II, which bids were duly received and opened at the Regular Town Board meeting of August 4, 1980, AND

WHEREAS, said bids were referred to the consulting engineering firm of McFarland Johnson Engineers, Inc. and the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from the Town Engineer to the Town Board dated August 6, 1980, AND

WHEREAS, said report recommended that the contract for the Chapel Avenue Reconstruction, Phase II, be awarded to Webber Trucking and Excavating Company, Buffalo-Olean Road, Chaffee, New York 14030 for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Chapel Avenue Reconstruction, Phase II, be and hereby is awarded to Webber Trucking and Excavating Company for their bid in the amount of $174,478.00, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said agreement with Webber Trucking and Excavating Company, AND, BE IT FURTHER

RESOLVED, that all costs incurred shall be charged to the Community Development Block Grant Fund.

*See Next Page for Analysis, Tabulation & Report.

Town of Cheektowaga

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

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

August 6, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

Gentlemen:

Bids were received and publicly opened at the Regular Town Board meeting on August 4, 1980 for Chapel Avenue Reconstruction, Phase II. Seven (7) bids were received as follows:

Webber Trucking & Excavating Co.	$174,478.00
Custom Topsoil, Inc.	181,810.20
M. Falgiano Construction Co., Inc.	184,948.00
Solomon II	185,315.00
Kissell Landscaping, Inc.	189,764.00
Beeline Contracting, Inc.	195,878.64
John Tata Concrete Construction Corp.	209,237,30

Bids were reviewed by McFarland Johnson Engineers, Inc. It is recommended by said consulting engineering firm, and the Engineering Department, that the bid be awarded to Webber Trucking and Excavating Company, Buffalo-Olean Road, Chaffee, New York 14030 for their submission of the lowest bid price meeting the requirements of the specifications.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan

Chester L. Bryan, P.E.
Town Engineer

CLB:dmr

NO. 21

Item No. 2 Cont'd.

Upon Roll Call....

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

Item No. 3 Motion by Councilman Swiatek, seconded by Councilman Dux to adjourn the meeting.

RICHARD M. MOLESKI
TOWN CLERK

MEETING NO. 21

CHEEKTOWAGA, NEW YORK
August 18, 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 18th day of August, 1980 at 7:00 P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Frank E. Swiatek
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman 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; Sal LaGreca, Assistant Manpower Program Director I; Pat Wojcik, Recreation Supervisor, Senior Citizens; Chester Bryan, Town Engineer; Legislator Richard Slisz; Julia Reinstein; Theodore DeFedericis, Chief of Police; Ken Kopacz, Executive Director of the Youth Bureau; George Burst, Working Foreman in the Central Garage; Dr. Louis Vendetti, Town Health Officer; Alfred Wnek, Highway Superintendent; Ron Marten, Building and Plumbing Inspector.

I. BIDS

Item No. 2 Recreation Department - Football Helmets
Referred to Michael Miecznikowski, temporary Director of Recreation.

II. PUBLIC HEARINGS

Item No. 3a Rezoning of Northeast Quadrant of the intersection of William Street and Union Roads from M2-General Manufacturing District to RC-Restricted Business District.
The public hearing for this was held prior to the meeting, but was held at 7:00 P.M.
The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed.

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

Item No. 3b 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 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. 3b cont'd

Street	Direction	Entrance Street	Traffic Stops	Sign Location
MAPLEVIEW ROAD	North-South	ROST PLACE	Eastbound	S.W. Corner
BARBADOS DRIVE	East-West	JEROME DRIVE (west branch)	Northbound	S.E. Corner
BARBADOS DRIVE	East-West	JEROME DRIVE (east branch)	Northbound	S.E. Corner
BARBADOS DRIVE	East-West	WOODGATE DRIVE	Northbound	S.E. Corner
BARBADOS DRIVE	East-West	WOODGATE DRIVE	Southbound	N.W. Corner
WOODGATE DRIVE	North-South	LE HAVRE DRIVE	Eastbound	S.W. Corner
WOODGATE DRIVE	North-South	LE HAVRE DRIVE	Westbound	N.E. Corner
BARBADOS DRIVE (Westerly portion)	North-South	BARBADOS DRIVE (southerly portion)	Westbound	N.E. Corner

ARTICLE XIII

Truck Exclusions

Section 130. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

PHILIP DRIVE - Entire street

CASTLEWOOD DRIVE - Entire street

AUTUMNWOOD DRIVE - Entire street

FRANTZEN DRIVE - Entire street

* *

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. 3c 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

Section 102 is amended by deleting therefrom the following:

A. No parking this side or one side parking

PEINKOFER DRIVE	North side	from the east curbline of BALBACH DRIVE to the point seventy-five (75) feet east of the east curbline of BALBACH DRIVE

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

SHERRY DRIVE	East side and South side	from the existing NO PARKING limit (approximately 500 feet south of south curbline of SEBRING DRIVE) to beginning of east curbline of cul-de-sac (150± feet west of BORDEAUX DRIVE

Item No. 3c cont'd

BORDEAUX DRIVE	East side	from the north curbline of DAVIDSON DRIVE to the south curbline of SHERRY DRIVE
PHILIP DRIVE	West side	from the north curbline of BARBADOS DRIVE to the south edge of the south shoulder of LOSSON ROAD
BARBADOS DRIVE	North side and West side	a portion from the west curbline of PHILIP DRIVE to the north curbline of LE HAVRE DRIVE
JEROME DRIVE	East side of east branch South side of south branch and West side of west branch	from the south curbline of BARBADOS DRIVE and JEROME DRIVE (East branch) thence southerly, westerly and northerly to the south curbline of BARBADOS DRIVE with the west branch of JEROME DRIVE
BARBADOS DRIVE	South side and East side	a portion from 82 feet west of the west curbline of JEROME DRIVE (west branch), thence extending westerly and southerly 280 feet.

C. No parking here to corner

PEINKOFER DRIVE	North side	from the east curbline of BALBACH DRIVE to a point 50 feet easterly thereof.
MARYVALE DRIVE	North side	from the west curbline of CAYUGA ROAD to a point 200 feet westerly thereof.

* *

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

III. RESOLUTIONS

Item No. 4 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that the present zoning district classification of the real property presently owned by the Exxon Corporation and located at the northwest quadrant of the intersection of William and Union Roads in the Town of Cheektowaga be rezoned from M2-General Manufacturing District to RC-Restricted Business District; said real property being more fully described in the attached legal description, and

WHEREAS, adjacent real properties have been developed in accordance with the uses permitted in a RC-Restricted Business District, and

WHEREAS, this Town Board, by Resolution duly passed on July 21, 1980, rezoned said adjacent real properties to RC-Restricted Business District, and

WHEREAS, the present zoning classification of the property located at the northwest quadrant of the intersection of William and Union Roads as aforesaid is totally inappropriate for the area, is not in harmony with adjacent properties and could be construed to be a "spot zone", and

WHEREAS, a public hearing was held before this Town Board on the 18th day of August, 1980 at 7:00 P.M., 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, this Town Board believes that it would promote and protect the public health, safety, comfort, convenience and other aspects of the general welfare of the Town of Cheektowaga for the aforementioned area to be rezoned to RC-Restricted Business District.

* See next two (2) pages

3-854

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° 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° 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° 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 lands 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° 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° 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° 03' 49"W along the north line of lands shown under said Map No. 98, Parcel 88 a distance of 51.78 feet to the northwest corner thereof; running thence S 28° 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° 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° 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° 03' 49" W along the northerly line of William Street, a distance of 54.02 feet to the point or place of beginning.

Same description as above

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.

"This document is executed by Exxon Corporation as [illegible]

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 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.

Item No. 4 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. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 22nd day of August, 1980

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

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 18th day of August, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Johnson, Seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that the present zoning district classification of the real property presently owned by the Exxon Corporation and located at the northwest quadrant of the intersection of William and Union Roads in the Town of Cheektowaga be rezoned from M2-General Manufacturing District to RC-Restricted Business District; said real property being more fully described in the attached legal description, and

WHEREAS, adjacent real properties have been developed in accordance with the uses permitted in a RC-Restricted Business District, and

WHEREAS, this Town Board, by Resolution duly passed on July 21, 1980, rezoned said adjacent real properties to RC-Restricted Business District, and

WHEREAS, the present zoning district classification of the property located at the northwest quadrant of the intersection of William and Union Roads as aforesaid is totally inappropriate for the area, is not in harmony with adjacent properties and could be construed to be a "spot zone", and

WHEREAS, a public hearing was held before this Town Board on the 18th day of August, 1980 at 7:00 P.M. 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, this Town Board believes that it would promote and protect the public health, safety, comfort, convenience and other aspects of the general welfare of the Town of Cheektowaga for the aforementioned area to be rezoned to RC-Restricted Business District, NOW, THEREFORE, BE IT

RESOLVED that the real property described in the attachment hereto be and hereby is rezoned from its present zoning district classification to RC-Restricted Business District.

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

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° 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° 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° 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 lands 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° 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° 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° 03'49" W along the north line of lands shown under said Map No. 98, Parcel 88 a distance of 51.78 feet to the northwest corner thereof; running thence S 28° 56'11" E along the distance of 10.88 feet to the northeast corner of said Map No. 197-47R, Parcel No. 39; running thence S 61° 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° 16'55" 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.

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 August 18, 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. 4, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of August, 1980.

RICHARD M. MOLESKI

Item No. 5 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board duly held a public hearing on the 4th day of August, 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 XIII

Truck Exclusions

Section 130. Trucks over five tons excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

ELLEN DRIVE - from CAYUGA ROAD to UNION ROAD
MONTFORT DRIVE - entire length
TERRY LANE - entire length
REDLEAF LANE - entire length
WHITE ROAD - entire length

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 villates of Depew and Sloan.

Section 4. Publication.

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 an affidavit of such publication 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. Deckter of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 22nd day of August, 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

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 18th day of August 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Johnson, Seconded by Councilman Burst

WHEREAS, this Town Board duly held a public hearing on the 4th day of August, 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 XIII
Truck Exclusions

Section 130. Trucks over five tons excluded

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

ELLEN DRIVE - from CAYUGA ROAD to UNION ROAD

MONTFORT DRIVE - entire length

TERRY LANE - entire length

REDLEAF LANE - entire length

WHITE ROAD - entire length

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.

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 an affidavit of such publication 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	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 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 August 18, 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. 5, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 18th day of August, 1980.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 21, 1980

Item No. 6 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that a certain provision of the "Noise Ordinance of the Town of Cheektowaga, New York" be amended;

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 3rd day of September, 1980 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Noise Ordinance of the Town of Cheektowaga, New York' shall be amended and changed as provided in the attached Notice of Hearing, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA 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 said hearing.

* *

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

ON PROPOSAL TO AMEND NOISE 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 18th day of August, 1980, and in accordance with the provisions of Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 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 an opportunity to be heard, at which time and place it shall be determined by the Town Board whether the "Noise Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. (a) RESOLVED that § 45-1 - TYPES OF NOISES PROHIBITED: DEFINITIONS, Subdivision A., (§2 of Ordinance No. 17 of the General Town Ordinances) which reads:

"A. Subject to the provisions of this Chapter, the creation of any unreasonable noise in the Town of Cheektowaga is prohibited. Noise of such character and intensity and duration as to be detrimental to the life or health of any individual in a residential, apartment-hotel or business district, as defined by the zoning ordinances of said town is prohibited. Unnecessary noise in any such district during the hours from 12:00 midnight to 7:00 a.m., which unreasonably interferes with the sleep, comfort, and repose of individuals therein, is prohibited."

shall be amended by deleting the works "during the hours from 12:00 midnight to 7:00 a.m."

(b) RESOLVED that § 45-2 - TYPES OF NOISEMAKING ACTS PROHIBITED, Subdivision D., (Paragraph 1 of Ordinance No. 17 of the General Town Ordinances) which reads:

"D. The playing of any radio, phonograph or any musical instrument in any place in a residential or apartment-hotel district at any time between 12:00 midnight and 7:00 a.m. in such a manner or with such volume as to annot or disturb any person thereby."

shall be amended by deleting the words "between 12:00 midnight and 7:00 a.m."

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

August 18, 1980

Item No. 6 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. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 22nd day of August, 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

NOTICE OF HEARING ON PROPOSAL TO AMEND NOISE 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 18th day of August, 1980, and in accordance with the provisions of Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 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 interests and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Noise Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. (a) RESOLVED that §45-1 - TYPES OF NOISES PROHIBITED; DEFINITIONS, Subdivision A., (§2 of Ordinance No. 17 of the General Town Ordinances) which reads:

"A. Subject to the provisions of this chapter, the creation of any unreasonable noise in the Town of Cheektowaga is prohibited. Noise of such character and intensity and duration as to be detrimental to the life or health of any individual in a residential, apartment-hotel or business district, as defined by the zoning ordinances of said town is prohibited. Unnecessary noise in any such district during the hours from 12:00 midnight to 7:00 a.m., which unreasonably interferes with the sleep, comfort and repose of individuals therein, is prohibited."

shall be amended by deleting the words "during the hours from 12:00 midnight to 7:00 a.m."

(b) RESOLVED that §45-2 - TYPES OF NOISEMAKING ACTS PROHIBITED, Subdivision D., (Paragraph 1 of Ordinance No. 17 of the General Town Ordinances) which reads:

"D. The playing of any radio, phonograph or any musical instrument in any place in a residential or apartment-hotel district at any time between 12:00 midnight and 7:00 a.m. in such a manner or with such volume as to annoy or disturb any person thereby."

shall be amended by deleting the words "between 12:00 midnight and 7:00 a.m."

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

RICHARD M. MOLESKI
Town Clerk

DATED: August 18, 1980
PUBLISHED: August 21, 1980

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

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 3rd day of September, 1980 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA 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 said hearing.

* *

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

ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of August, 1980, and in accordance with the provisions of Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 1980 at 7:00 o'clock P.M., at the Cheektowaga Town Halo, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended as follows:

* See next five (5) pages

AMENDMENT TO THE ZONING ORDINANCE
OF THE TOWN OF CHEEKTOWAGA, NEW YORK

ARTICLE XII

Adult Uses

Purpose

It is recognized that buildings and establishments operated as adult uses, have serious objectional operational characteristics. In order to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, this Article is intended to restrict adult uses to non-residential, non-business, and non-commercial areas of the Town of Cheektowaga and otherwise regulate their operation. Moreover, in light of the fact that the operational characteristics of adult uses increase the detrimental impact on a community when such uses are concentrated, this Article is intended to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, by regulating the concentration of such uses.

Definitions

As used in this Article, the following terms shall have the meanings indicated:

a) ADULT BOOKSTORE - an establishment or business whether retail or wholesale, having as a substantial or significant portion of its stock-in-trade, books, magazines and other periodicals, films and viewing materials for sale or viewing on premises, by use of motion picture devices or any coin operated means, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment or business containing a segment or section devoted to the sale or display of such material.

b) ADULT MOTION-PICTURE THEATRE - an enclosed building or portion of building used for presenting materials having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

c) ADULT USE - any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas including but not limited to adult bookstores and adult motion picture theatres.

d) PERSON - any person, firm, partnership, corporation association, or legal representative, acting individually or jointly.

e) BUSINESS - any commercial enterprise, association, or arrangement for profit.

f) SUBSTANTIAL CONNECTION -

1) in a sole proprietorship, an individual who owns, operates, controls, or conducts, directly or indirectly, any premises, building, or location upon which any adult use takes place.

2) In a partnership, limited or general, an individual who shares in any potential profits or losses of the business or who shares in the ownership of any of the assets of the partnership business;

3) In a corporation, an individual who is an officer, director, or a holder, either directly, indirectly or beneficially, of more than twenty (20) percent of any class of stock;

4) Any person who furnishes more than twenty (20) percent of the capital financing or assets of such business, whether in cash, goods or services.

g) DISSEMINATION - the transfer of possession, custody, control or ownership of, or the exhibition or presentation of any performance, to a customer, member of the public or business invitee, of any material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

h) SPECIFIED ANATOMICAL AREAS -

1) Less than the completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola.

2) Human male genitals in a discernibly turgid state even if completely and opaquely covered.

i) SPECIFIED SEXUAL ACTIVITIES -

1) Human genitals in a state of sexual stimulation or arousal.

2) Acts of human masturbation, sexual intercourse or sodomy.

3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Restrictions Affecting Adult Uses

In addition to the requirements of the Zoning Ordinance and the Code of the Town of Cheektowaga adult uses shall be permitted subject to the following restrictions:

a) No adult use shall be allowed within five hundred (500) feet of another existing adult use.

b) No adult use shall be located within five hundred (500) feet of the boundaries of any zoning district which is zoned for residential use.

c) No adult use shall be located within five hundred (500) feet of a pre-existing school or place of worship.

d) No adult use shall be located in any zoning district except those districts zoned for general manufacturing use (M-2).

Registration

a) No person, firm, corporation or other entity shall lease, rent, maintain, operate, use or allow to be operated or used any business or establishment, any part of which contains an adult use, without first complying with the provisions of this section as set forth below.

b) In addition to any and all other necessary licenses and permits, no form of adult use shall be allowed to operate, or allowed to continue to operate, until a certificate of registration is filed with the Clerk of the Town of Cheektowaga containing:

1) The address of the premises;

2) The name and address of the owner(s) of the premises and the name and address of the beneficial owner(s) if the property is in a land trust.

3) The name of the business or the establishment subject to the provisions of this article.

4) The name, business and home address, business or home phone numbers of all owners of the business or establishment subject to the provisions of this Article.

5) The names, business and home addresses, business or home phone humbers of all those persons having a substantial connection with the business or establishment subject to the provisions of this Article;

6) The date of the initiation of the adult use.

7) The exact nature of the adult use.

8) If the premises or the building in which the business containing the adult use is located, is leased, a copy of the lease.

c) If there occurs any change in the information required for the certificate of registration, the Clerk of the Town of Cheektowaga shall be notified of such change and a new or amended certificate filed within thirty (30) days of such change.

d) The processing fee for each such certificate of registration or amendment thereto shall be $50.00.

e) No certificate of registration issued under the provisions of this section shall be transferable to any person other than the registrant, nor shall a certificate of registration be transferable for use at any premises, building or location other than stated in the certificate of registration.

f) The owner, manager or agent of any adult use shall cause a copy of the certificate or registration issued under the provisions of this section to be prominantly displayed on the premises, building or location for which it is issued.

g) Any knowingly false statement, or any statement which the registrant or applicant should reasonably have known to be false, which is provided in the certificate of registration or any document or information supplied therewith shall be grounds for rejection, suspension or revocation of the certificate of registration.

h) It is a violation of this Article for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an adult use without having in force a certificate of registration complying with this section.

Prohibition Regarding Public Observation.

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window or other opening.

Amortization

In all districts except as provided in this Article, any adult use shall terminate not later than one (1) year after the effective date of this Article, and thereafter, the space or premises or building formerly occupied by such use shall be used only for a conforming use.

When Effective

Upon adoption by the Town Board, this Article shall take effect ten (10) days after its publication in accordance with Section 264 of the Town Law, except that this Article shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the town, showing the date of its passage and entry in the minutes.

and

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, §4-11 A., which relates to the principal permitted uses in a General Manufacturing District, shall be amended by the enactment of a new subdivision 9. thereunder as follows:

9. Adult uses.

and said ordinance shall be further amended as follows:

Subdivision 9. be renumbered as subdivision 10.

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

Richard M. Moleski

Richard M. Moleski
Town Clerk

Item No. 7 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. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 22nd

day of August, 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 AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of August, 1980, and in accordance with the provisions of Town Law of the State of New York, a Public Hearing will be held on the 3rd day of September, 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 interests and citizens shall have an opportunity to be heard, and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended as follows:

AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF CHEEKTOWAGA, NEW YORK

ARTICLE XII

Adult Uses

Purpose

It is recognized that buildings and establishments operated as adult uses, have serious objectional operational characteristics. In order to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, this Article is intended to restrict adult uses to non-residential, non-business, and non-commercial areas of the Town of Cheektowaga and otherwise regulate their operation. Moreover, in light of the fact that the operational characteristics of adult uses increase the detrimental impact on a community when such uses are concentrated, this Article is intended to promote the health, safety and general welfare of the residents of the town of Cheektowaga, by regulating the concentration of such uses.

Definitions

As used in this Article, the following terms shall have the meanings indicated:

a) ADULT BOOKSTORE — an establishment or business whether retail or wholesale, having as a substantial or significant portion of its stock-in-trade, books, magazines and other periodicals, films and viewing materials for sale or viewing on premises, by use of motion picture devices or any coin operated means, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment or business containing a segment or section devoted to the sale or display of such material.

b) ADULT MOTION PICTURE THEATRE — an enclosed building

istinguished or characterized by n emphasis on matter depicting, escribing or relating to specified exual activities or specified natomical areas including but not mited to adult bookstores and dult motion pictures theatres.

d) PERSON — any person, firm, artnership, corporation associaion, or legal representative, cting individually or jointly.

e) BUSINESS — a n y commerial enterprise, association, or rrangement for profit.

f) SUBSTANTIAL CONNECION —

1) in a sole proprietorship, an ndividual who owns, operates, ontrols, or conducts, directly or ndirectly, any premises, building, r location upon which any adult se takes place.

2) In a partnership, limited or eneral, an individual who shares n any potential profits or losses of he business or who shares in the wnership of any of the assets of he partnership business;

3) In a corporation, an individual who is an officer, director, or a bolder, either directly, indirectly or beneficially, of more than twenty (20) percent of any class of stock;

4) Any person who furnishes more than twenty (20) percent of the capital financing or assets of such business, whether in cash, goods or services.

g) DISSEMINATION — the transfer of possession, custody, control or ownership of, or the exhibition or presentation of any performance, to a customer, member of the public or business invitee, of any material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

h) SPECIFIED ANATOMICAL AREAS —

1) Less than the completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola.

2) Human male genitals in a discernibly turgid state even if completely and opaquely covered.

i) SPECIFIED SEXUAL ACTIVITIES —

1) Human genitals in a state of sexual stimulation or arousal.

2) Acts of human masturbation, sexual intercourse or sodomy.

3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Restrictions Affecting Adult Uses

In addition to the requirements of the Zoning Ordinance and the Code of the Town of Cheektowaga adult uses shall be permitted subject to the following restrictions:

a) No adult use shall be allowed within five hundred (500) feet of another existing adult use.

b) No adult use shall be located within five hundred (500) feet of the boundaries of any zoning district which is zoned for residential use.

c) No adult use shall be located within five hundred (500) feet of a pre-existing school or place of worship.

d) No adult use shall be located in any zoning district except those districts zoned for general manufacturing use (M-2).

Registration

a) No person, firm, corporation or other entity shall lease, rent, maintain, operate, use or allow to be operated or used any business or establishment, any part of which contains an adult use, without first complying with the provisions of this section as set forth below.

b) In addition to any and all other necessary licenses and permits, no form of adult use shall be allowed to operate, or allowed to continue to operate, until a certificate of registration is filed with the Clerk of the Town of Cheektowaga containing:

address, business or home phone numbers of all owners of the business or establishment subject to the provisions of this Article.

5) The names, business and home addresses, business or home phone numbers of all those persons having a substantial connection with the business or establishment subject to the provisions of this Article;

6) The date of the initiation of the adult use.

7) The exact nature of the adult use.

8) If the premises or the building in which the business containing the adult use is located, is leased, a copy of the lease.

c) If there occurs any change in the information required for the certificate of registration, the Clerk of the Town of Cheektowaga shall be notified of such change and a new or amended certificate filed within thirty (30) days of such change.

d) The processing fee for each such certificate of registration or amendment thereto shall be $50.00.

e) No certificate of registration issued under the provisions of this section shall be transferable to any person other than the registrant, nor shall a certificate of registration be transferable for use at any premises, building or location other than stated in the certificate of registration.

f) The owner, manager or agent of any adult use shall cause a copy of the certificate or registration issued under the provisions of this section to be prominantly displayed on the premises, building or location for which it is issued.

g) Any knowingly false statement, or any statement which the registrant or applicant should reasonably have known to be false, which is provided in the certificate of registration or any document or information supplied therewith shall be grounds for rejection, suspension or revocation of the certificate of registration.

h) It is a violation of this Article for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an adult use without having in force a certificate of registration complying with this section.

Prohibition Regarding Public Observation.

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window or other opening.

Amortization

In all districts except as provided in this Article, any adult use shall terminate not later than one (1) year after the effective date of this Article, and thereafter, the space or premises or building formerly occupied by such use shall be used only for a conforming use.

When Effective

Upon adoption by the Town Board, this Article shall take effect ten (10) days after its publication in accordance with Section 264 of the Town Law, except that this Article shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the town, showing the date of its passage and entry in the minutes. and

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, §4-11 A., which relates to the principal permitted uses in a General Manufacturing District, shall be amended by the enactment of a new subdivision 9. thereunder as follows:

9. Adult uses.

and said ordinance shall be further

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

WHEREAS, Gerald Peinkofer has made application and requested the rezoning of property located at 208 Como Park Boulevard, Town of Cheektowaga, New York, from R-Residential District to CM-General Commercial 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 Wednesday, September 3, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

AFFIDAVIT - NEXT PAGE

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

Gladys M. Sackett, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Sackett

Sworn to before me this 22nd day of August, 1980

Naidine C. Williams

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

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 3rd day of September, 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Gerald Peinkofer to Rezone from R-Residential District to CM-General Commercial District on property located at 208 Como Park Blvd. 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 ten (10), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey bounded and described as follows:

Beginning in the northerly boundary of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Rialway Company at the southwest corner of lands conveyed to Alois Peinkofer and wife by deed recorded in Liber 1255 of Deeds at page 294; thence easterly along the north line of said Boulevard thirty-six and one-half (36 1/2) feet; thence northerly parallel with the west line of lands so conveyed to Peinkofer and wife one hundred fifty (150) feet; thence westerly parallel with the Boulevard thirty-six and one-half (36 1/2) feet to the west line of lands conveyed to said Peinkofer and wife; thence southerly along said last mentioned line one hundred fifty (150) feet to the place of beginning;

AND ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning in the northerly line of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at a point in the said northerly line where the easterly line of Michael Sauter's land conveyed by deed recorded in Erie County Clerk's Office in Liber 315 of Deeds page 546 intersects said point of intersection being marked by a stake; thence northerly and along said Sauter's east line by deed as aforesaid, nine (9) chains and seventy four (74) links to the intersection with said Sauter's northerly line by deed as aforesaid which point is marked by an iron pipe; thence westerly along said Sauter's northerly line by deed as aforesaid one (1) chain and three (3) links; thence southerly and parallel with said first described line nine (9) chains and seventy-four (74) links to a stake in the northerly line of the Boulevard and thence easterly one (1) chain and three (3) links to the point of beginning, being one (1) acre of land;

AND ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey described as follows:

Beginning in the northerly boundary of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at a point in the said northerly line of said Boulevard one (1) chain and three (3) links westerly from its intersection with the easterly line of land formerly owned by Michael Sauter deceased, by deed as aforesaid; thence northerly parallel with the said easterly line of said Sauter's lands by deed as aforesaid nine (9) chains and seventy-four (74) links; thence westerly on a line parallel with said Boulevard line one (1) chain and three (3) links; thence southerly on a line parallel with the said firstmentioned boundary nine (9) chains and seventy-four (74) links to the said Boulevard line and thence easterly along said Boulevard line one (1) chain and three (3) links to the place of beginning, containing one (1) acre of land;

EXCEPTING THEREFROM lands conveyed to Joseph Peinkofer and Mary Peinkofer, his wife by deed recorded on January 31st, 1923, in the Erie County Clerk's Office in Buffalo, New York in Liber 1626 of Deeds at page 631,

AND ALSO, lands conveyed to Edwin T. Peinkofer and Linda A. Peinkofer, his wife by deed recorded on June 16, 1964, in the Erie County Clerk's Office at Buffalo, New York, in Liber 7007 of Deeds at page 407.

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
Donald J. Wegner
Thomas M. Johnson, Jr.
Frank J. Dux
William P. Rogowski
James R. Burst

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 21, 1980

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

WHEREAS, Norman R. Dobiesz has made application and requested a Special Permit for a cut-rate gasoline service station and has also made application and requested a rezoning of property located at 2804 Union Road, Town of Cheektowaga, New York, from C-Retail Business District to CM-General Commercial District, said applicant being the owner of property aforementioned, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said requests under the provisions of the Zoning Ordinance on Wednesday, September 3, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, at the Cheektowaga Town Hall, corner of Broadway and Union Road.

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

AFFIDAVIT - 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 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 August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Decker

Sworn to before me this 22nd

day of August, 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 IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 3rd day of September 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Norman R. Dobiesz to Rezone from C-Retail Business District to CM-General Commercial District on property located at 2804 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.

Being part of Lot No. 15, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the east line of said Lot No. 15 (said east line being also the center line of Union Road) distant six hundred thirty-four and fifty-six hundredths (634.56) feet northerly from the southeast corner of said Lot No. 15; running thence northerly along the east line of Lot No. 15 one hundred seventy-five (175) feet to the south line of lands deeded by Christiana Lenz to Ernest J. Buchwald and Marian, his wife, by deed recorded in Erie County Clerk's Office in Liber 5702 of Deeds at Page 13, February 24, 1955; thence westerly along the south line of lands deeded to Ernest J. Buchwald and Marian, his wife, as aforesaid, two hundred thirty-three and three hundredths (233.03) feet to a point distant two hundred (200) feet (as measured along said south line) westerly from the west line of Union Road (as a road 66 feet wide); thence southerly parallel with the east line of Lot No. 15, one hundred seventy-five (175) feet; thence easterly parallel with the south line of lands deeded to Ernest J. Buchwald and Marian, his wife, as aforesaid two hundred thirty-three and three hundredths (233.03) feet to the east line of Lot No. 15 at the point of beginning.

Being the same property conveyed to Bi-Lo Stations, Inc. by Deed dated May 9, 1966 and recorded in Liber 7237, Page 165, Office of the Clerk of Erie County, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 21, 1980

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

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 22nd

day of August, 1980

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 IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, corner of Broadway and Union Road, on the 3rd day of September 1980, at 6:30 o'clock P.M., Eastern Daylight Savings Time of said day for the purpose of considering the application of Norman R. Doblesz for a Special Permit to install gasoline service station on property located at 2804 Union Road pursuant to Section 6-01 and Section 6-012 of the Zoning Ordinance of the Town of Cheektowaga, New York.

Being part of Lot No. 15, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the east line of said Lot No. 15 (said east line being also the center line of Union Road) distant six hundred thirty-four and fifty-six hundredths (634.56) feet northerly from the southeast corner of said Lot No. 15; running thence northerly along the east line of Lot No. 15 one hundred seventy-five (175) feet to the south line of lands deeded by Christiana Lenz to Ernest J. Buchwald and Marian, his wife, by deed recorded in Erie County Clerk's Office in Liber 5702 of Deeds at Page 13, February 24, 1955; thence westerly along the south line of lands deeded to Ernest J. Buchwald and Marian, his wife, as aforesaid, two hundred thirty-three and three hundredths (233.03) feet to a point distant two hundred (200) feet (as measured along said south line) westerly from the west line of Union Road (as a road 66 feet wide); thence southerly parallel with the east line of Lot No. 15, one hundred seventy-five (175) feet; thence easterly parallel with the south line of lands deeded to Ernest J. Buchwald and Marian, his wife, as aforesaid two hundred thirty-three and three hundredths (233.03) feet to the east line of Lot No. 15 at the point of beginning.

Being the same property conveyed to Bi-Lo Stations, Inc. by Deed dated May 9, 1966 and recorded in Liber 7237, Page 165, Office of the Clerk of Erie County, New York.

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

BY ORDER OF THE TOWN BOARD

Supervisor Kenneth J. Meyers

Councilmen:

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 21, 1980

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

WHEREAS, the next regular meeting of the Cheektowaga Town Board would be held on September 1, 1980, and

WHEREAS, said September 1, 1980 is a Legal Holiday, namely Labor Day, NOW, THEREFORE, BE IT

RESOLVED that the date of the next regular meeting of the Cheektowaga Town Board be and hereby is set for Wednesday, September 3, 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 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 August 21, 1980; last publication August 21, 1980; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 22nd day of August, 1980

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 OF PUBLIC MEETING

PLEASE TAKE NOTICE that a Regular, public meeting of the Cheektowaga Town Board will be held in the Council Chambers, located in the Town Hall at Broadway and Union Road, Cheektowaga, New York on Wednesday, September 3, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: August 21, 1980

Item No. 11 Motion by Councilman Dux, seconded by Supervisor Meyers

WHEREAS, Florian F. Majchrzycki, Acting Assistant Working Foreman of the Sanitation Department, recommends that Michael Wodowski be terminated, and

WHEREAS, the employee, Michael Wodowski, has consistently violated the rules and regulations of the Department by having excessive absenteeism and poor work performance, and

WHEREAS, said employee has been previously given oral warnings, written warnings and suspensions in an attempt to rectify and to require his conformance to these work rules, NOW, THEREFORE, BE IT

RESOLVED that Michael Wodowski be and hereby is terminated as an employee of the Cheektowaga Sanitation Department for excessive absenteeism and poor work performance.

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

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

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that Marie Reinhardt of , Cheektowaga, New York 14211, Social Security Number , is hereby hired and assigned to Maryvale School, as a clerk at a salary rate of $3.98/hour, and BE IT FURTHER

RESOLVED that Marie Reinhardt will be placed on the Cheektowaga payroll as a convenience to the worksite. Her pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

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

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

WHEREAS, a vacancy exists in teh position of Clerk-Typist in the Cheektowaga Police Department, and

WHEREAS, said position has been posted in accordance with the bargaining agreement between the Town of Cheektowaga Employees' Association and the Town of Cheektowaga, and

WHEREAS, Diane Corkins of Cheektowaga, New York appears on the most recent Civil Service List of Eligibles for the position of Clerk-Typist, NOW, THEREFORE, BE IT

RESOLVED that Diane Corkins be and hereby is appointed to the position of Clerk-Typist in the Cheektowaga Police 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 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, four (4) vacancies currently exist for the position of Police Officer in the Cheektowaga Police Department, and

WHEREAS, the Erie County Civil Service List of Eligibles for the position of Police Officer has been canvassed, and interviews and investigations of eligibles conducted, NOW, THEREFORE, BE IT

RESOLVED that the following individuals, selected from the Erie County Civil Service List of Eligibles, be and hereby are appointed to the position of Police Officer in the Cheektowaga Police Department, at a salary in accordance with the current bargaining agreement between the Town of Cheektowaga and the Cheektowaga Police Club, said appointments effective as of Wednesday, August 20, 1980:

C.M. Platt, Jr.

D.O. Whitehead

R.K. Paul

K.E. Rusin

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

Item No. 15 Motion by Supervisor Meyers, seconded by Councilman Burst

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. Przybyla of , Cheektwoaga, New York 14225 and Herbert F. Spanitz of Cheektowaga, New York 14225 be and are hereby hired as part-time van drivers 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. 16 Appointment of part-time Van Drivers in Department of Senior Services
This item was withdrawn

Item No. 17 Motion by Councilman Swiatek, seconded by Councilman Rogowski

RESOLVED that Paul Czosek, of be hired as part-time Program Director for the Cheektowaga Youth Bureau's Adapted Recreation Program for Developmentally Disabled Youth at the rate of $6.50 per hour.

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

Item No. 18 Motion by Councilman Swiatek, seconded by Councilman Burst

Item No. 18 cont'd

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, ages 16 through 19, who are unemployed, economically disadvantage, and have dropped out of school, NOW, THEREFORE, BE IT

RESOLVED that the following people are hired to participate in said program, at the rate of $3.10 per hour, the current minimum wage:

Alan Brassard	Timothy C. Frey
Depew, New York 14043	Cheektowaga, New York 14227
Robert Dmockowski, Jr.	Linda C. Hendel
Depew, New York 14043	Cheektowaga, New York 14225

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

Item No. 19 Motion by Councilman Swiatek, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau co-sponsored a successful Cultural Enrichment Program with Villa Maria College, Cheektowaga, New York, during February and March of 1980, and

WHEREAS, Villa Maria College has proposed conducting a similar program during October and November of this year, and

WHEREAS, the program would be open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheekowaga Youth Bureau fund said program at a total cost not to exceed $1,300.00.

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

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

WHEREAS, Officer John Huntz is required to perform military duties during the period from August 21, 1980 to September 6, 1980, and

WHEREAS, Officer Huntz's orders were submitted to the Chief of Police, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grant Officer John Huntz, Cheektowaga, New York, Military Service Leave as defined in Section 242 and 243 of the Military Laws of the State of New York.

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

Item No. 21 Motion by Councilman Johnson, seconded by Councilman Dux

WHEREAS, Florian Majchrzycki, MEO "B" in the Sanitation Department, was appointed to the position of "Acting Assistant Working Foreman" in the Sanitation Department by Town Board Resolution dated February 25, 1980, and

WHEREAS, Florian Majcyrzycki was granted a Leave of Absence from his Permanent Position of MEO "B" in the Sanitation Department, said Leave retroactive to February 25, 1980, for a period of six months, NOW, THEREFORE, BE IT

RESOLVED that Florian Majchrzycki is hereby granted an extension of his present Leave of Absence from his Permanent Position of MEO "B" in the Sanitation Department, while he is acting in the capacity of "Acting Assistant Working Foreman", said Leave of Absence shall be effective on Augusg 25, 1980, and shall be for a period of six months.

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

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

WHEREAS, the Erie County Legislature has prepared a Notice of Tax Foreclosure Sale entitled In Rem Action Number 136 pursuant to the In Rem provisions of the Erie County Tax Act, and

WHEREAS, a certain parcel of property listed as Serial Number 41, described as:

BENBRO DRIVE, E.
Farm lot 3; Township 11;
67 X 339'

and owned by Nathan Benderson & One, 75 Dana Road, Buffalo, New York 14216 is included in the In Rem No. 136 proceeding, and

WHEREAS, the aforementioned property will be offered for sale at public auction on the 26th day of August, 1980, commencing at 9:30 A.M. in the Erie County Legislative Chambers, said property to be sold to the highest bidder, and

WHEREAS, the lien on the aforementioned property by the County of Erie is for the sum of $735.86, and

WHEREAS, the Facilities/Parks Department of the Town of Cheektowaga has maintained the aforesaid property for the benefit of the Northcreek/Southcreek Playground for at least the last seven years, and

WHEREAS, the Town of Cheektowaga is desirous of acquiring the aforesaid property for the purpose of extending the Northcreek/Southcreek Playground, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is authorized to attend the In Rem auction and bid on the aforementioned property for an amount not to exceed $1,000.00 and BE IT FURTHER

RESOLVED that the money expended for this property shall come from the appropriate fund as determined by the Accounting Department.

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

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

WHEREAS, the Town of Cheektowaga has approved a $50 deductible major medical program for all eligible full time employees, and

WHEREAS, the group policy initiated by the Town provides only a $100 deductible clause, and

WHEREAS, retiree group members do not benefit from the Town self-isnuring the $50 difference in the deductible clause, and

WHEREAS, disabled retirees are particularly hurt by this $50 difference in the deductible, NOW, THEREFORE, BE IT

ESOLVED that the Town of Cheektowaga agrees to provide the $50 difference in the deductible feature to disabled (those on official New York State Disability pension) retirees effective with the initiation of the policy.

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 Burst

WHEREAS, the Cheektowaga Town Board, at its July 2, 1979 Town Board Meeting, retained the firm of Stuart Alexander and Associates as Planning Consultant at an annual fee not to exceed $3,600.00, and

WHEREAS, Stuart Alexander & Associates have performed this service satisfactorily and have continued to perform from January 1, 1980 through the present date similar services on a satisfactory basis, and

WHEREAS, the annual meeting in January of 1980 neglected to renew the authorization for these planning services, NOW, THEREFORE, BE IT

RESOLVED that the firm Stuart Alexander & Associates be retained as Planning Consultant to the Town of Cheektowaga at an annual fee not to exceed $3,600.00 for services through December 31, 1980 to be paid on a monthly basis.

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

Item No. 25 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board entered into an agreement with the consulting firm of Nussbaumer & Clarke, Inc. for the preparation of plans and specifications and for other engineering services for construction identified as Cedargrove Heights, Phase I, Stage I, which project was authorized by Town Board resolution dated August 21, 1978, and

WHEREAS, the scope of work was increased after said agreement with Nussbaumer & Clarke, Inc., which work involved extensive changes and additions to the project during construction of the Cedargrove Heights Project, and which additional engineering services were outlined in the Nussbaumer & Clarke, Inc. letter of March 10, 1980 to the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the voucher of Nussbaumer & Clarke, Inc. in the final balance amount of $13,278.32 be paid out of the Community Development Block Grant Funds and that all additional previously incurred engineering costs since paid to Nussbaumer & Clarke, Inc., in the amount of $15, 076.95 for work performed on said Cedargrove Heights Project be disbursed from the Community Development Block Grant Funds.

Item No. 25 cont'd

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 Burst

WHEREAS, the Chapel-Smith Drainage Project discharges its storm waters into the Scajaquada Creek Tributary T-3B, reworked by the New York State Department of Environmental Conservation, and

WHEREAS, N.Y.S.D.E.C. requires a permit to use Department of Environmental Conservation Flood Control Land for this discharge outlet, and

WHEREAS, said permit application specifies a $1,000.00 bond under Condition 6 of the permit application to secure fulfillment of the intent of the permit and a $2,000.00 bond under Condition 9 of the permit application as security that the work area will be returned to its original condition, and

WHEREAS, the cost of each bond is $20.00 is quoted by the Town Insurance Consultant, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes the Supervisor to sign said bonds on behalf of the Town Board as indemnitee for bonds in the amount of $1,000.00 and $2,000.00 to be issued by the Fireman's Fund Insurance Company to the N.Y.S. D.E.C. for the drainage project at a cost of $40.00.

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

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

WHEREAS, the Northeast Interceptor was constructed to provide relief in Sanitary Sewer District #7 and while sanitary sewer back-ups in basements are still experienced in various locations and what appears to be possible inflow and infiltration of storm waters into the sanitary sewer system, and

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

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

WHEREAS, such investigative and corrective work has proven in the past to be effective in controlling such infiltration, and

WHEREAS, a Review Board consisting of the Supervisor, Councilmen Wegner and Swiatek, the Town Engineer and select applicants which in their judgment would compose, as a group, an overall sampling of the storm water infiltration into the sanitary sewer system with the ultimate objective to correct any defects resulting therefrom, and

WHEREAS, it appears that such a project would benefit all of the area of Sanitary Sewer District #7 and its residents and its purpose is not to benefit any individual property owners and would seem to be consistent with, so far as possible, a comprehensive plan for sanitary sewers developed and maintained in said district, and

Item No. 27 cont'd

WHEREAS, said Pilot Project appears to be permissible under the applicable provisions of Section 198 of the Town Law whereby the Town can expend monies for such purposes from the Sanitary Sewer District #7 funds as budgered by the Town, NOW, THEREFORE, BE IT

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

RESOLVED that the expenses of such project, including labor and materials be chargeable to the Sanitary Sewer District #7 budget in an amount not to exceed $4,900.00.

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

This resolution was denied.

Item No. 28 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. Service Area, and

WHEREAS, a Federal Grant No. C-36-323-01 was awarded for Step III Construction and Engineering Services for the Northeast Interceptor (SewerDistrict 7) and the Sewer District No. 8 Sanitary Sewers, and

WHEREAS, updated construction costs for the Northeast Interceptor are #6,231,938.34, and

WHEREAS, a low bid has been received from Marin Excavating, Inc. for $1,279,663. to construct the Sewer District No. 8 Sanitary Sewers, and

WHEREAS, a Grant Amendment is necessary to reflect changes in costs from those estimates in the original grant application and changes resulting in a new local Town share of $1,510.079., and

WHEREAS, Nussbaumer & Clarke, Inc. has assembled the background information necessary to file the Grant Amendment, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is authorized to sign the Grant Amendment Application, and BE IT FURTHER

RESOLVED that Nussbaumer & Clarke, Inc. is authorized to submit the Grant Amendment Application on behalf of the Town.

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

Item No. 29a Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Consulting Engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on Scajaquada Creek Structure Replacement Project, and

Item No. 29a cont'd

WHEREAS, the scope of work on each Change Order on the Box Culvert Replacement Project is described in a letter from the Town Engineer dated August 14, 1980, and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 in the amount of $704.00 as an addition to the contract on the Cunard Road Box Culvert Replacement and Change Order No. 1 in the amount of $1,500.00 as an addition to the contract on the Vegola Avenue Box Culvert Replacement with a total addition of $2,204.00 to the contracy of Frank L. Ciminelli Construction Co., Inc., be approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

* 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—686-3448

August 13, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Miscellaneous Change Orders
on the Scajaquada Creek
Structure Replacement Project

Gentlemen:

The attached resolutions are submitted for your approval of numerous Change Orders against various bridges and box culverts on the subject project. Two (2) resolutions are submitted to separate bridges from box culverts for accounting purposes.

BRIDGES:

Change Order #1 - Rosewood Terrace Pedestrian Bridge

Add $5,862.00

Change Order #1 - Parkedge Pedestrian Bridge

Add $7,027.00

These Change Orders added midspaced support beams the total length of the span to reduce midspan deflection and improve safety factor against stumbling. It also added 3M Scotch Clad Deck Coating to eliminate the slippery character of the wood when wet.

Change Order #2 - Rosewood Pedestrian Bridge

Add $2,178.00

This change was the addition of pipe hand rails on both sides of the approaches as they are fairly steep. It will provide assistance to the elderly and handicapped. It will also tend to contain bicycles and motor bikes from using the bridge.

Change Order #1 - McNaughton Avenue Bridge

Add $9,218.00

Supervisor & Town Board Members August 13, 1980

After removal of the old bridge foundation to drive sheet pile for the new bridge foundation and it was known that solid limestone rock was within three feet (3') of the excavation, it was determined to redesign the foundation from a steel bearing sheet piles to reinforced concrete foundations. This required additional excavation, additional reinforcing bars, doweling in the limestone bedrock and concrete. This change improved the structural stability of the foundation as it now bears directly and is tied into solid rock. The major increase in costs for this change was drilling and grouting the dowel in the bedrock.

BOX CULVERTS:

Change Order #1 - Cunard Road

Add $704.00

Homeowners at 95 & 79 Cunard demanded that existing hedges in the work area be saved. The landscaping contractor removed, stored and replanted the fifty-four feet (54') of hedges the next spring. The two (2) owners were not given growth guarantees but, as of this date they are growing.

Change Order #1 - Vegola Avenue

Add $1,500.00

The existing ten and twelve inch (10" & 12") diameter trees at 88 and 89 Vegola were too close to the box culvert structure and would have died under three to four feet (3'-4') of additional dirt due to the grade change. Two (2) trees were replaced with four inch (4") diameter maples and one (1) was saved with tile and stone bedding. The new trees were guaranteed for one (1) year with no guarantee for the stone bedded tree.

A complete scope of the work covered by these Change Orders, justification, costs and credits is included with each Change Order and is on file in the Engineering Department.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By Steven T. Marcynski
Steven T. Marcynski,
Senior Engineer Assistant

STM:mjh

Item No. 29a cont'd

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

Item No. 29b Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Consulting Engineering firm of McFarland-Johnson Engineers, Inc. have approved the following Change Orders on the Scajaquada Creek Structure Replacement Project, and

WHEREAS, the scope of work on each Change Order on the Bridge Replacement Project is described in a letter from the Town Engineer dated August 14, 1980 and considered part of this resolution, NOW, THEREFORE, BE IT

RESOLVED that Change Order #1 in the amount of $5,862.00 and Change Order #2 in the amount of $2,178.00 on the Rosewood Terrace Pedestrian Bridge Replacement as an addition to the contract, Change Order #1 in the amount of $9,218.40 on the McNaughton Avenue Bridge Replacement as an addition to the contract and Change Order #1 in the amount of $7,027.00 on the Parkedge Pedestrian Bridge as an addition to the contract with the total addition of $24,285.40 to the contract of Frank L. Ciminelli Construction Co., Inc. be approved and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized to sign said Change Orders on behalf of the Town of Cheektowaga.

* 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—686-3448

August 13, 1980

TO THE SUPERVISOR AND
HONORABLE TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Miscellaneous Change Orders
on the Scajaquada Creek
Structure Replacement Project

Gentlemen:

The attached resolutions are submitted for your approval of numerous Change Orders against various bridges and box culverts on the subject project. Two (2) resolutions are submitted to separate bridges from box culverts for accounting purposes.

BRIDGES:

Change Order #1 - Rosewood Terrace Pedestrian Bridge

Add $5,862.00

Change Order #1 - Parkedge Pedestrian Bridge

Add $7,027.00

These Change Orders added midspaced support beams the total length of the span to reduce midspan deflection and improve safety factor against stumbling. It also added 3M Scotch Clad Deck Coating to eliminate the slippery character of the wood when wet.

Change Order #2 - Rosewood Pedestrian Bridge

Add $2,178.00

This change was the addition of pipe hand rails on both sides of the approaches as they are fairly steep. It will provide assistance to the elderly and handicapped. It will also tend to contain bicycles and motor bikes from using the bridge.

Change Order #1 - McNaughton Avenue Bridge

Add $9,218.00

Supervisor & Town Board Members August 13, 1980

After removal of the old bridge foundation to drive sheet pile for the new bridge foundation and it was known that solid limestone rock was within three feet (3') of the excavation, it was determined to redesign the foundation from a steel bearing sheet piles to reinforced concrete foundations. This required additional excavation, additional reinforcing bars, doweling in the limestone bedrock and concrete. This change improved the structural stability of the foundation as it now bears directly and is tied into solid rock. The major increase in costs for this change was drilling and grouting the dowel in the bedrock.

BOX CULVERTS:

Change Order #1 - Cunard Road

Add $704.00

Homeowners at 95 & 79 Cunard demanded that existing hedges in the work area be saved. The landscaping contractor removed, stored and replanted the fifty-four feet (54') of hedges the next spring. The two (2) owners were not given growth guarantees but, as of this date they are growing.

Change Order #1 - Vegola Avenue

Add $1,500.00

The existing ten and twelve inch (10" & 12") diameter trees at 88 and 89 Vegola were too close to the box culvert structure and would have died under three to four feet (3'-4') of additional dirt due to the grade change. Two (2) trees were replaced with four inch (4") diameter maples and one (1) was saved with tile and stone bedding. The new trees were guaranteed for one (1) year with no guarantee for the stone bedded tree.

A complete scope of the work covered by these Change Orders, justification, costs and credits is included with each Change Order and is on file in the Engineering Department.

Very truly yours,

TOWN OF CHEEKTOWAGA

Chester L. Bryan, P.E.
Town Engineer

By Steven T. Marcynski
Steven T. Marcynski,
Senior Engineer Assistant

STM:mjh

Item No. 29b cont'd

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 Highway Superintendent and the Town Engineer, brought to the attention of the Town Board that there is concern about a drainage restriction at the outlet of the old Cayuga Creek channel which restriction will be aggravated by the completion of the New York State Department of Transportation's drainage system of Harlem Road, which drainage system is being installed as part of the Harlem Road Reconstruction Project, and

WHEREAS, the New York State Department of Transportation, in their reply to the Town Engineer advised that they do not expect that the restriction will adversely affect their drainage system, and

WHEREAS, the Town experienced storm water problems in the area tributary to this drainage outlet during the storm period of August 3, 1980, NOW, THEREFORE, BE IT

RESOLVED that the New York State Department of Transportation is petitioned to take measures to remove the drainage restriction into Cayuga Creek, and BE IT FURTHER

RESOLVED that a copy of this resolution be submitted to Mr. D.H. Ketchum, Regional Director, 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. 31 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Board of Fire Commissioners of Forks Fire District #3 have requested that the Town Board authorize repairs to hydrants in said fire district, NOW, THEREFORE, BE IT

RESOLVED that the request of the Board of Fire Commissioners is approved and that the Erie C ounty Water Authority is hereby requested to make hydrant repairs on the following hydrants in Fire District #3:

3101 Broadway
3795 Broadway
495 Kennedy Road
51 Schlenker Avenue
3557 Union Road
2155 Walden Avenue
2525 Walden Avenue
2685 Walden Avenue
2777 Walden Avenue, and
Walden Avenue approximately 300 feet
west of Dick Road

and BE IT FURTHER

RESOLVED that the Town Clerk is directed to send a copy of this request to the Erie County Water Authority for appropriate action.

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

Item No. 32a Motion by Councilman Johnson, seconded by Supervisor Meyers

BE IT RESOLVED that New York State Electric & Gas Corporation be and hereby is authorized to install 1 - 6000 lumen high pressure sodium lamp on Central Boulevard in the Town of Cheektowaga at an annual increase to the Town's General Lighting District of $75.00, in accordance with the attached proposal which is hereby made a part of this resolution.

* See next page for proposal

August 12, 1980

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

Central Blvd.

Install 1 - 16000 lumen HPS lamp @ $75.00 ea. -------- $ 75.00
(P-4-6*, L-3712)

TOTAL ANNUAL INCREASE --- $75.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

* new pole to light new bridge

Item No. 32a cont'd

Upon Roll Call....

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

Item No. 32b Motion by Councilman Johnson, seconded by Councilman Rogowski

BE IT RESOLVED that New York State Electric & Gas Corporation is hereby authorized to install 1 - 7000 lumen mercury vapor lamp on West Sobieski Street, in the Town of Cheektowaga, at an annual increase to the Town's General Lighting District of $50.00, in accordance with the attached proposal which is hereby made a part of this resolution.

* See next page

August 14, 1980

STREET LIGHTING PROPOSAL
TOWN OF CHEEKTOWAGA

West Sobieski Street

Install 1 - 7000 lumen Mercury Vapor lamp
@ $50.00 ea. (P-4, L-400) ----------$50.00

TOTAL ANNUAL INCREASE--------$50.00

NEW YORK STATE ELECTRIC & GAS CORPORATION

Item No. 32b cont'd

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

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

WHEREAS, emergency sanitary sewer repairs were required at:

126 Northcrest Drive - Sanitary Sewer District #5
110 Wanda Avenue - Sanitary Sewer District #5
& Dellwood Ditch - Sanitary Sewer District #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 amounts of:

$ 997.75 for 126 Northcrest Drive
$ 878.49 for 110 Wanda Avenue
1,822.60 for Dellwood Ditch

to make the needed repairs 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. 34a Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at vacant lots located at William Street west of Colton Street, Cheektowaga, New York (Tax Account No. 9-252 and 8-254, Sublots 3, 4 and 5, MC 838) and according to the Assessor's Office records is owned by Arthur Karnofsky, 70 DeVille Circle, Williamsville, New York 14221, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34b Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the northwest corner of Dick Road and North Creek Drive, Cheektowaga, New York (Tax Account Number 2-190) and according to the Assessor's Office records is owned by Dr. Victor Reinstein, 11 Danforth Drive, Cheektowaga, New York 14227, and

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

Item No. 34b cont'd

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34c Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the vacant lot at the east of 208 Vern Lane, rear of 7-11 Store, Cheektowaga, New York (Tax Account No. 37-341, MC 527, Lot No. 51) and according to the Assessor's Office records is owned by Irving Smith, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34d Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have bren received by the Town Board about the cleaning up of property located at the northeast corner of William Street and Vern Lane, Cheektowaga, New York (Tax Account No. 38-183) and according to the Assessor's Office records is owned by Anthony Pantera, Williamsville, New York 14221, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34e Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at vacant property between 2074 and 2092 Clinton Street, Cheektowaga, New York (Tax Account No. 7-4, MC257, Lots 4 and 5) and according to the Assessor's Office records is owned by Anthony Szklarz, Cheektowaga, New York 14206, and

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

Item No. 34e cont'd

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34f Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at vacant lots house numbers 3 and 4 Sprucewood Drive, Cheektowaga, New York (Tax Account No. 45-457 and 45-456, Sublots 21 and 22) and according to the Assessor's Office records is owned by Coor Development, Inc., 2730 Transit Road, West Seneca, New York 14224, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34g Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the southeast corner of East Delavan and East End Avenue, Cheektowaga, New York (Tax Account No. 2-179) and according to the Assessor's Office records is owned by Samuel Tabone and one, 380 Connecticut Street, Buffalo, New York 14213, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call....
AYES: Supervisor Meyers, Counciomen Swiatek, Johnson, Dux, Burst, Wegner and Rogowski
NAYES: 0
ABSENT: 0

Item No. 34h Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 152 Peinkofer Drive, Cheektowaga, New York (Tax Account No. 30-578) and according to the Assessor's Office records is owned by Joseph Vanderheyden, Cheektowaga, New York 14225, and

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

Item No. 34h cont'd

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 34i Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at 31 Deer Trail, Cheektowaga, New York (Tax Account No. 46-506, Map Cover 2369, Sublot35) and according to the Assessor's Office records is owned by Josela Enterprises, Inc., 4875 Broadway, Depew, New York 14043, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 35a Motion by Supervisor Meyers, seconded by Councilman Swiatek

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

	FROM	AMOUNT	TO
GENERAL FUND	A.1990.480 (Contingency)	$ 550.00	A.7141.220 (Parks-Equipment)
	A.1990.480 (Contingency)	1,000.00	A.3710.440 (Traffic Study)
	A.7510.448 (Historical-Printing)	500.00	A.7510.439 (Historical Observances)
	A.7510.405 (Historical Supplies	620.00	A.7510.439 (Historical Observances)
HIGHWAY FUND	DB.5120.402 (Bridges-Supplies)	1,650.00	DS.5140.419 (Miscellaneous)

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

Item No. 35b Motion by Supervisor Meyers, seconded by Councilman Swiatek

BE IT RESOLVED that the following fund transfer is hereby approved:

FROM	AMOUNT	TO
GENERAL FUND		
A.7140.161 (Recreation)	$8,000.00	A.7140.450 (Special Events)

* See next page

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Recreation
Department

8.14.80
Date

General Fund

FROM			TO	
Account	Title	$	Account	Title
A7140.161	Rec. Att. Comm. Centers	8,000	A7140.450	Special Events

Edward L Lenk
Signature

Explanation cover expenses for Polish Am. Festival

Item No. 35b cont'd

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

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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to August 18th, 1980 be and the same are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NOS. FROM	TO	AMOUNT
GENERAL FUND	15575, 15937	16011-16514	$1,129,619.88
SPECIAL ASSESSMENT FUND	29-31		40,807.55
DEBT SERVICE FUND	102-104		71,240.00
PART TOWN FUND	246-271		15,085.28
SPECIAL DISTRICT FUND	7413-7574		4,827,780.55
HIGHWAY FUND	5594-5711		360,557.07
CAPITAL FUND	351-356		384,620.44
TRUST & AGENCIES FUND	830-859		744,395.56
FEDERAL REVENUE SHARING FUND	447-532		458,221.41
H.U.D. - N.P.P. FUND	126-127		4,875.00
			$8,037,202.74

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 37 Edward J. Leak, Director of Recreation - letter of resignation
This item was Received and Filed.

Item No. 38 Dr. Louis A. Vendetti: Health report for the Month of July, 1980
This item was Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 39 NOTICE OF CLAIM - Patricia Ersing vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company.

This item was Received and Filed.

Item No. 40 NOTICE OF CLAIM - Robert A. Pszczolkowski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; E.T. Clauss, Insurance Company; James Kirisits, Town Attorney; Sewer Maintenance Department; Chester Bryan, Town Engineer.

This item was Received and Filed.

Item No. 41 NOTICE OF CLAIM - Mary Sciandra vs Town of Cheektowaga
Copies were sent to: Jim Matecki, Facilities Director; James Kirisits, Town Attorney; Kenneth J. Meyers, Supervisor; E.T. Clauss, Insurance Company; Recreation Department.

This item was Received and Filed.

Item No. 42 NOTICE OF CLAIM - Joseph Wojciechowski vs Town of Cheektowaga
Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Chester Bryan, Town Engineer; Sewer Maintenance Department.

This item was Received and Filed.

Item No. 43 Letter from F.N. Burt Co. (per Att. Eugene A. Rudzinski) regarding resumption of Town's responsibility for maintenance and operation of signal at entrance to F.N. Burt on Walden Avenue.
Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Captain H. Kempski; Police Department.

This item was Received and Filed.

Item No. 44 Letter from Walden District Taxpayers Association regarding Alexander Avenue Pedestrian Bridge
Copies were sent to: Council Secretary.

This item was Received and Filed.

VI. FROM THE TABLE

Item No. 45 Withdrawal of application for 34 acre parcel re: Nob Hill Park Site

Motion by Councilman Dux, seconded by Councilman Rogowski to table the above resolution.

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

VII. SUSPENSION OF RULES

Motion by Councilman Swiatek, seconded by Councilman Wegner 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. 46 Petition N.Y.S. to obtain permission from D.O.T. to conduct storm sewers from hardship area into Kensington Expressway drainage system

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, residents of Mafalda and Fontaine Drive have been subjected to severe street flooding problems, and

WHEREAS, the New York State Department of Transportation's Kensington Expressway Construction Project removed a retention pond located at the northwest corner of Harlem and Maryvale Drive, and which retention pond was beneficial in drainage relief for the area tributary to same, and

Item No. 46 cont'd

WHEREAS, this Town Board would like to provide relief to the Mafalda-Fontaine Drive area and the Mt. Calvary Cemetery area, which relief could be afforded by the discharge of storm waters to the Kensington Expressway, a New York State Highway, NOW, THEREFORE, BE IT

RESOLVED that this Town petitions Governor Hugh Carey, State Senator Dale Volker and Assemblyman Dennis Gorski to assist the Town in receiving permission from the New York State Department of Transportation to conduct storm waters from the hardship area as defined in this resolution into the drainage system of the Kensington Expressway, and BE IT FURTHER

RESOLVED that the Town Clerk send copies of this request to Governor Carey, Senator Volker and Assemblyman Gorski.

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

Item No. 47 Appointment to temporary position of Director of Recreation

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, Edward J. Leak has advised the Town Board of his resignation from the position of Director of Recreation, effective August 16, 1980, NOW, THEREFORE, BE IT

RESOLVED that Michael Miecznikowski, of Depew, New York, presently employed in the Cheektowaga Recreation Department under the title of Senior Recreation Supervisor, be and hereby is appointed to the temporary position of "Director of Recreation, effective August 16, 1980, at a salary of $18,499.92; said annual salary previously approved by the Town Board for the position of Director of Recreation.

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

Item No. 48 Authorization for Supervisor to appropriate funds through grant applications for C.E.T.A. Funds

Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Erie County, the Town of Cheekotwaga and the Town of Tonawanda have formed a consortium for the operation of programs under the Comprehensive Employment & Training Act of 1973, and

WHEREAS, the United States Department of Labor has notified the Consortium that applications for Fiscal Year 1981 C.E.T.A. funds will now be considered, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be empowered to sign grant applications, agreements and contracts be accepted and appropriated by the Town Supervisor for the Erie County Consortium C.E.T.A. Program.

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

Item No. 49 Motion by Councilman Wegner, seconded by Councilman Swiatek to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

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

NO.	ITEM	PAGE
	Meeting No. 23 - September 15, 1980	
2	Highway - Seasonal Requirements (Cinders, Rock Salt, Calcium, Snow Fence, 6 foot Tee Posts and Tie Wires).	1
	Meeting No. 25 - October 6, 1980	
1b	Stage I, Phase II, Cedargrove Heights Neighborhood Improvement Program.	1
1c	Construction of Sanitary Sewer along North Creek Drive.	1

* * * * * * * * * * * * * * * * *

PUBLIC HEARINGS

* * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980	
2	Amendment to Noise Ordinance - Section 45-1, Subdivision A, and Section 45-2, Subdivision D.	1-2
3	Amendment to Zoning Ordinance - Article XII, Adult Uses.	2-5
	Meeting No. 23 - September 15, 1980	
3	Rezoning of certain properties on west side of Union Road from CM-General Commercial to RC-Restricted Business District.	1-2
4	Amendment to Traffic Ordinance - Article X "Parking, Standing, Stopping" - Lochland Drive, Peachrow Lane.	2
	Meeting No. 25 - October 6, 1980	
2	Amendment to Zoning Ordinance: Article IX: Board of Appeals, Section 9-23 and Article X: Amendments, Section 10-21.	1-2

* * * * * * * * * * *

R E S O L U T I O N S

* * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980	
4	Decision on Rezoning: 636 French Road.	5-6
5	Decision on Amendment to Traffic Ordinance: Article VIII - Stop and Yield Intersections and Article XIII - Truck Exclusions (various streets).	6-7
6	Decision on Amendment to Traffic Ordinance: Article X - Parking, Standing, Stopping (various streets).	8-9
7	Call for Public Hearing: Proposed Use Hearing regarding Federal Revenue Sharing Act.	10
8	Call for Public Hearing: Amendment to Zoning Ordinance - Zoning District Classification - West Side of Union Road.	11-12
9	Call for Public Hearing: Amendment to Zoning Ordinance - Article IX: Board of Appeals, Section 9-23 and Article X: Amendments, Section 10-21.	14-15
10	Call for Public Hearing: Amendment to Traffic Ordinance - Article X: Parking, Standing, Stopping - Lochland Drive and Peachrow Lane.	16
11	Notice to Bidders: Stage I, Phase II, of the Cedargrove Heights Neighborhood Improvement Program.	17
12	Notice to Bidders: Sodium Chloride (rock salt), cinders, calcium etc. for use by Highway Department.	17-18
13	Leave of Absence for Senior Recreation Supervisor.	19
14	Appointment to temporary position of Senior Recreation Supervisor.	19
15	Appointment of part-time Secretary in Council Office.	19
16	Create position of Clerk-Typist in Police Department.	19-20
17	Appointment to position of Employment Counselor in Youth Bureau.	20
18	Hiring of additional help in various town departments.	20-21
19	Termination of employee in the Sanitation Department.	21
20	Interim appointments to Traffic Safety Commission.	21
21	Authorization for Town Justice to attend Justice Training Program and Seminar.	22
22	Authorization for Clerk of Justice Court to attend Seminar for Town and Village Court Clerks.	22-23
23	Hiring under CETA, Title IID:	
	a). Village of Depew, DPW Building.	23
	b). Depew Union Free Schools.	23-24
	c). BOCES Potter Road Occupational Center.	24
24	Increment for employees under CETA, Title IID:	
	a). Cheektowaga Central School System.	24
	b). Maryvale School System.	24
25	Memorialize Erie County Deputy Commissioner of Highways to grant permit for traffic control signal at intersection of Dick Road and North Creek Drive.	25
26	Authorize Highway Superintendent to provide equipment, operators, etc. for paving of driveway at Grover Cleveland School.	25-26
27	Re-designation of Schlenker Avenue as a dead-end street.	26
28	Approval of new Special Use Permit Application and Special Use Permit.	26-27
29	Retain Attorney to represent Town in Assessment Review Proceedings.	27
30	Adoption of Pilot Project regarding sanitary sewer back-up problems in Sanitary Sewer District No. 3.	27-29
31	Permission for Cheektowaga Little Loop Athletic Association to use hardball diamond for league home games.	29-30

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980 Cont'd.	
32	Co-sponsorship of Cheektowaga Major Hockey Association Johnny Bowers Memorial Invitational Hockey Tournament.	13
33	Proclamation of Johnny Bowers Day.	13
34	Permission for Cheektowaga Major Hockey Association to use lobby and kitchen areas of Cheektowaga Recreation Center during Hockey Tournaments.	13-14
35	Authorize Town Attorney to prepare necessary documents for acquisition of portion of property commonly known as Nob-Hill.	30
36	Clean up of property located at: a). Vacant Lot north of 436 Borden Road. b). Vacant Lot west of 19 Creekside Drive.	 30 31
37	Transfer of funds.	31
38	Warrant List.	32
	Meeting No. 23 - September 15, 1980	
5	Decision on Rezoning - 208 Como Park Blvd.	2-4
6	Decision on Rezoning and Special Permit - 2804 Union Road.	5
7	Decision on Amendment to Zoning Ordinance - Article IV.	5-6
8	Decision on Amendment to Noise Ordinance (Ordinance No. 17).	7-8
9	Highway - Award of bid for Snow plow blades, wing blades, cutting edges, wing and snow plow shoes, grader blades, receiver grates,etc.	9-10
10	Authorization for Supervisor to sign agreement with the County of Erie for 1980-81 Community Development Program Year.	10
11	Authorization for Supervisor to sign Withdrawal Agreement with E.C. Dept. of Environmental Quality regarding moratorium on San. Sewer District #3.	10
12	Authorization for Supervisor to sign Withdrawal Agreement with E.C. Dept. of Environmental Quality regarding moratorium on San. Sewer District #5.	10-11
13	Authorization for Supervisor to execute agreement of adjustment with N.Y.S. Dept. of Environmental Conservation regarding Scajaquada Creek Flood Control Project.	11
14	Authorization for Town Engineer to contract for construction of a sanitary sewer riser pipe on Straley Avenue.	11-12
15	Authorization for Pilot Project for Sanitary Sewer District #5.	12-13
16	Hiring of employees under C.E.T.A., Title IID: a). B.O.C.E.S. Potter Road Occupational Center as a laborer. b). Village of Depew Municipal Building as a Clerk-Typist. c). Erie County Industrial Development Agency for Gowanda Rail Line as laborers.	 13 13 13-14
17	Hiring of Activity Directors for Youth Bureau's Adapted Recreation Program for Developmentally Disabled Children.	14
18	Hiring of Figure Skating Instructor for Recreation Department.	14
19	Hiring of House League Hockey Coordinator for Recreation Department.	14
20	Hiring of seasonal employee in Tax Office.	14-15
21	Hiring of seasonal laborers in Facilities Department.	15
22	Hiring of seasonal rink personnel for Recreation Department.	15
23	Hiring of seasonal Community Center Supervisors in the Recreation Department.	15
24	Promotion to position of Senior Maintenance Man in Sewer Maintenance Department.	15
25	Create position of "Fire Inspector" in Cheektowaga Building Inspector's Department.	16

NO.	ITEM	PAGE
	Meeting No. 23 - September 15, 1980 Cont'd.	
26	Extension of sick leave for Highway Department employee.	16
27	Extension of sick leave for Facilities Department employee.	16
28	Authorization for Project Coordinators for the Youth Conservation Corps program (through the Cheektowaga Youth Bureau) to attend conference.	16-17
29	Authorization for Executive Director of Youth Bureau to attend conference.	17
30	Authorization for Captain Snyder of the Cheektowaga Police Department to attend seminar.	17
31	Clean up of properties located at:	
	a). Property located at a vacant lot at 95 Brookedge Drive.	17-18
	b). Property located at a vacant lot west of 1000 Cleveland Dr.	18
	c). Property located at the rear of 885 French Road.	18
	d). Property located south of Goering Avenue, West of Nagel Dr.	18-19
	e). Property located at the front and rear of 1050 Geo. Urban Blvd.	19
32	Transfer of Funds.	19-20
33	Warrant List.	20
	Meeting No. 25 - October 6, 1980	
3	Call for Public Hearing: Benefit Basis Budget - 1981.	2-3
4	Call for Public Hearing: Increase maximum allowable income for property owners over 65 to qualify for property exemptions.	4
5	Call for Public Hearing: Amendment to Traffic Ordinance: Art.VIII-Stop and Yield Intersections - Central Blvd., Lorraine Lane; and Art. X - Parking, Standing and Stopping - Kaufman Rd., Geo. Urban Blvd.	5-6
6	Call for Public Hearing: Amendment to Traffic Ordinance: Art.VIII-Stop and Yield Intersections - Industrial Pkwy. & Azalea Drive.	7
7	Call for Public Hearing: Amendment to Traffic Ordinance: Art.XII-Removal and Storage of Vehicles.	8
8	Call for Public Hearing: Amendment to "Unsafe Buildings and Collapsed Structures Ordinance."	9-10
9	Decision on zoning district classification - West side of Union Rd.	11-13
10	Decision on Rezoning and Special Use Permit Application - 3617 Genesee Street.	14
11	Decision on Amendment to Traffic Ordinance: Article X - Parking, Standing and Stopping - Lochland Dr., Peachrow Lane.	14-15
12	Amendment to resolution of August 18, 1980 re: Decision on Rezoning of Northwest quadrant of intersection of William St. & Union Rd.	16-17
13	Award of Bid: Rock salt, snow fence, tee posts, tie wires (Highway).	18-19
14	Notice to Bidders: Calcium and Cinders (Highway Department).	19-20
15	Re-classification of position of Community Development Coordinator to Director of Community Development and permanent re-appointment to same.	21
16	Appointment to temporary position of "Clerk-Typist" in Accounting Department.	21
17	Appointment to position of "Clerk-Typist" in Police Department.	21-22
18	Central Garage: Leave of Absence for Auto Mechanic.	22
19	Police Department: Leave of Absence for Detective.	22
20	Rescind resolution of September 15, 1980 regarding seasonal employees in Tax Office and appointment of seasonal employees in same.	23
21	Hiring of seasonal employees in Recreation Department.	23
22	Appointment of Law Clerk in Town Attorney's Office.	24

RESOLUTIONS CONT'D.

NO.	ITEM	PAGE
	Meeting No. 25 - October 6, 1980 Cont'd.	
23	Transfer of two employees (van drivers) to part-time Senior Citizen Recreation Attendants.	24
24	Hiring of part-time help for Adapted Recreation Program for Youth Bureau.	24
25	Authorization for Adapted Recreation Program Director of Youth Bureau to attend conference in Rochester, New York.	24-25
26	Authorize Town Engineer to attend International Technical Conference on toxic air contaminants.	25
27	Change of work hours at Sewer Treatment Plant No. 5.	25
28	Hiring under C.E.T.A., Title IID:	
	a). Depew Union Free School System.	25-26
	b). Saint Joseph Adult Care Center.	26
	c). Saint Joseph Adult Care Center.	26
29	Schedule of budget review sessions with various Town Departments.	26-27
30	Decision on application for permission to erect billboard signs.	27-28
31	Authorization for Cheektowaga Little Loop Athletic Association to sell concessions at Town Park during league home games.	28-29
32	Permission for Niagara Mohawk Power Corporation to install light on South Roycroft Blvd.	29-30
33	Authorization for N.Y.S. Electric & Gas to install lamps on Harlem Rd.	30-31
34	Authorization for approval of Change Order regarding Cedargrove Heights Drainage Project.	31
35	Authorization for approval of Change Order regarding Walden Avenue Storm Sewer Project, Phase I.	31
36	Determination of environmental non-significance under Environmental Impact Review Ordinance for application of Derrick Mfg. Corp.	31
37	Granting of easements regarding proposed reconstruction of Losson Rd.	31-32
38	Authorization for Accounting Department to make payment to Erie County regarding Losson Road reconstruction.	32
39	Acceptance of proposal of Nussbaumer & Clarke, Inc. re: Flooding problems at Rosemead and Fairelm.	32-33
40	Approval of Community Development Housing Rehabilitation Grants.	33
41	Re-designation of Schuster Avenue as dead-end street.	33-34
42	Authorize Town Attorney to take legal proceedings necessary for recovery of all damages sustained to Town Vehicle.	34
43	Retain attorney regarding assessment review proceedings brought by New York State Electric and Gas.	34
44	Authorize Bixby & Company to draw specifications, etc. re: Computer assisted payroll and accounting services.	34-35
45	Retain firms to appraise value of Nob-Hill property, and to survey alternate recreation sites on said property.	35
46	Scheduling of Informational Meeting relative to Senior Citizen Center.	35
47	Clean up of property located at:	
	a). Front of vacant lot east of 756 French Road.	35-36
	b). Vacant lots house numbers 3 and 4 Sprucewood Drive.	36
48	Warrant List.	36

* *

DEPARTMENTAL COMMUNICATIONS

* *

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980	
39	Building Permits.	32
40	Highway Department: Letter regarding stop sign on Southeast corner of Como Park Blvd. and Center Road.	32
41	Letter from Senior Citizens Van Driver regarding request for Full-time Position.	32
	Meeting No. 23 - September 15, 1980	
34	Cheektowaga Library Board - Minutes of meeting of June, 1980.	20
35	Health Report for August, 1980.	20
	Meeting No. 25 - October 6, 1980	
49	Building Permits.	37
50	Supervisor's Statement of Funds: June and July 1980.	37

* *

GENERAL COMMUNICATIONS

* *

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980	
42	N.Y.S. Dept. of Transportation: Letter regarding permit for Fire Pre-emption Signal at Walden and Pine Ridge Road.	32
43	Petition from residents of French Road - Towers Boulevard area re: rezoning of 636 French Road.	32
44	Letter from Robert W. Hysert, Attorney, regarding Town zoning ordinance relating to kennels.	32
45	Marcia Mateczun: Request to speak regarding rodent infestation along back yards of Sharon Court, East and West Melcourt Drive.	22
46	Notice of Claim: Grace Barone vs. Town of Cheektowaga.	33
47	Notice of Claim: Philip B. Smith vs. Town of Cheektowaga.	33
	Meeting No. 23 - September 15, 1980	
36	N.Y.S. Dept. of Transportation - Notice of Order Re: Parking restriction on Walden Avenue.	20
37	Notice of Claim - Bronislaus Lis vs. Town of Cheektowaga.	20
38	Notice of Claim - Amy Milley, by her father, Stephen Milley vs. Town of Cheektowaga.	21
39	Notice of Claim - Henry & Mary Zubrzycki vs. Town of Cheektowaga.	21
40	Notice of Hearing - Grace Barone vs. Town of Cheektowaga.	21
41	Summons & Complaint - Dan Szczerba vs. Town of Cheektowaga.	21
42	Letter from Mattar, D'Agostino, Kogler & Runfola, Attorneys & Counselors at Law re: Cedargrove Heights, Community Development Area.	21
43	Petition from Residents of Lindbergh Ct., Central Blvd., etc. re: Used Car Lot and Collision Shop at 50 Rosewood.	21
	Meeting No. 25 - October 6, 1980	
51	State of New York, Department of Audit and Control: Schedule of Meetings for Comptroller's Regional Seminars.	37
52	N.Y.S. Dept. of Transportation: Notice of Cancellation of Designation of Restricted Highway.	37
53	Erie County Department of Public Works: Notice of Closing Highway and Designation of Restricted Highway.	37
54	Cheektowaga-Sloan School District: Letter regarding agreement between Town and School District for paving of driveway at Grover Cleveland School.	37
55	Notice of Claim: F. Dillon Daniels vs. Town of Cheektowaga.	37
56	Notice of Claim: Thomas M. Holliday & Mrs. Thomas Holliday vs. Town of Cheektowaga.	37
57	Summons and Complaint: Dorothy and George Boersma vs. Town of Chktg.	37
58	Summons and Complaint: Allan Wanderlich vs. Town of Cheektowaga, Cheektowaga Police and The Executive Hotel.	37
59	Notice of Application for Review of Real Property Tax Law of Tax Assessments: New York Telephone vs. State Board of Equalization and Assessments.	37
60	Notice of Petition: New York State Electric & Gas Corp. vs. State Board of Equalization and Assessments.	37
61	Louis J. Baran: Request to speak regarding dangerous conditions at 3521 Union Road at Goering Avenue.	37

* * * * * * * * * * * * * * *

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

* * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980	
48	Withdrawal of application for 34 acre parcel re: Nob Hill Park Site.	33

* * * * * * * * * * * * * * * * * * * *

SUSPENSION OF RULES

* * * * * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 22 - September 3, 1980	
49	Memorialize Erie County Legislature to establish environmental review policy governing proposed highway construction projects.	33-34
50	Appointment to position of Police Captain.	34
51	Extension of leave of absence for employee in Highway Department.	34-35
52	Provide $10,000 for constructing storm sewer cleaning in southwest section of Town.	35-36
53	Hiring under C.E.T.A., Title IID.	36
54	Memorialize Erie County Department of Highways to accept recommendations for improvements of the George Urban Blvd. and North Creek Intersections and approval of necessary permits for its implementation.	36-37
	Meeting No. 23 - September 15, 1980	
44	Reappointment to Cheektowaga Planning Commission.	21-22
45	Recreation - Award of bid for Football helmets.	22
46	Notice to Bidders for Stage I, Phase II of Cedargrove Heights Neighborhood Improvement Program.	22-24
47	Authorization for Town Assessor to attend conference.	25
48	Notice to Bidders for furnishing all tools, equipment, materials and labor for construction of sanitary sewer along North Creek Drive from Ellsworth to Union, Sanitary Sewer District No. 7 - Phase II.	25-27
	Meeting No. 25 - October 6, 1980	
62	Authorize Highway Superintendent to cut high weeds and grass at Dingens Street Park.	38
63	Authorize Supervisor to sign agreement between New York State Office of Mental Retardation and Developmental Disabilities (OMRDD) and Cheektowaga Youth Bureau.	38
64	Authorize Town Clerk to deliver Bond Anticipation Notes to New York City.	39
65	Authorize Facilities Department Director to attend Training Institute in Florida.	39

* *

REGULAR ADJOURNED MEETINGS

* *

NO.	ITEM	PAGE
	Meeting No. 24 - September 30, 1980	
2	Four (4) Appointments to vacancies of Laborer in Sanitation Dept.	1
3	Appointment to position of General Mechanic in Facilities Dept.	1

* * * * * * * * * * * * * * * * *

S P E C I A L M E E T I N G S

* * * * * * * * * * * * * * * * *

NO.	ITEM	PAGE
	Meeting No. 22A - September 11, 1980	
2	Authorize Supervisor to enter into agreements with Village Mayors regarding Housing and Community Development funds.	1-2

MEETING NO. 22

CHEEKTOWAGA, NEW YORK
SEPTEMBER 3, 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 3rd day of September, 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; James Kirisits, Town Attorney; Sal LaGreca, Assistant Manpower Program Director I; Julia Reinstein, Town Historian; Chester Bryan, Town Engineer; Theodore DeFedericis, Chief of Police; Alfred Wnek, Highway Superintendent; Al Thrun, Cheektowaga Traffic Safety Commission; Pat Wojcik, Recreation Supervisor, Senior Citizens; Dr. Louis Vendetti, Town Health Officer; James Matecki, Facilities Department Director; Michael Miecznikowski, Acting Recreation Director; Mary F. Holtz, Deputy Town Clerk; Legislator Richard Slisz; Kenneth J. Kopacz, Executive Director of the Youth Bureau; Florian Majchrzycki, Assistant Working Foreman in the Sanitation Department.

II. PUBLIC HEARINGS

Item No. 2 This was the time and place advertised for a public hearing to consider the advisability of adopting an amendment to Ordinance No. 17, Anti-Noise Ordinance of the said Town of Cheektowaga, 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:

* *

1. (a) RESOLVED that Sec. 45-1 - TYPES OF NOISES PROHIBITED: DEFINITIONS, Subdivision A., (Sec. 2 of Ordinance No. 17 of the General Town Ordinances) which reads:

> "A. Subject to the provisions of this chapter, the creation of any unreasonable noise in the Town of Cheektowaga is prohibited. Noise of such character and intensity and duration as to be detrimental to the life or health of any individual in a residential, apartment-hotel or business district, as defined by the zoning ordinances of said town is prohibited. Unnecessary noise in any such district during the hours from 12:00 midnight to 7:00 a.m., which unreasonably interferes with the sleep, comfort, and repose of individuals therein, is prohibited."

shall be amended by deleting the words "during the hours from 12:00 midnight to 7:00 a.m."

(b) RESOLVED that Section 45-2 - TYPES OF NOISEMAKING ACTS PROHIBITED, Subdivision D., (Paragraph 1 of Ordinance No. 17 of the General Town Ordinances) which reads:

> "D. The playing of any radio, phonograph or any musical instrument in any place in a residential or apartment-hotel district at any time between 12:00 midnight and 7:00 a.m. in such a manner or with such volume as to annoy or disturb any person thereby."

shall be amended by deleting the words "between 12:00 midnight and 7:00 a.m."

Item No. 2 Cont'd.

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

Item No. 3 This was the time and place advertised for a public hearing to consider the advisability of adopting an amendment to the Zoning Ordinance of the Town of Cheektowaga, Article XII - Adult Uses, 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:

* * * * * * * * * * * * * * * * * * * *

AMENDMENT TO THE ZONING ORDINANCE

OF THE TOWN OF CHEEKTOWAGA, NEW YORK

ARTICLE XII

Adult Uses

Purpose

It is recognized that buildings and establishments operated as adult uses, have serious objectional operational characteristics. In order to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, this Article is intended to restrict adult uses to non-residential, non-business, and non-commercial areas of the Town of Cheektowaga and otherwise regulate their operation. Moreover, in light of the fact that the operational characteristics of adult uses increase the detrimental impact on a community when such uses are concentrated, this Article is intended to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, by regulating the concentration of such uses.

Definitions

As used in this Article, the following terms shall have the meanings indicated:

a) ADULT BOOKSTORE - an establishment or business whether retail of wholesale, having as a substantial or significant portion of its stock-in-trade, books, magazines and other periodicals, films and viewing materials for sale or viewing on premises, by use of motion picture devices or any coin operated means, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specific sexual activities or specified anatomical areas or an establishment or business containing a segment or section devoted to the sale or display of such material.

b) ADULT MOTION-PICTURE THEATRE - an enclosed building or portion of building used for presenting material having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

c) ADULT USE - any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas including but not limited to adult bookstores and adult motion picture theatres.

d) PERSON - any person, firm, partnership, corporation, association or legal representative, acting individually or jointly.

No. 22A No. 23 No. 24 No. 25

Item No. 3 Cont'd.

e) BUSINESS - any commercial enterprise, association, or arrangement for profit.

f) SUBSTANTIAL CONNECTION -

1) In a sole proprietorship, an individual who owns, operates, controls, or conducts, directly or indirectly, any premises, building, or location upon which any adult use takes place.

2) In a partnership, limited or general, an individual who shares in any potential profits or losses of the business or who shares in the ownership of any of the assets of the partnership business;

3) In a corporation, an individual who is an officer, director, or a holder, either directly, indirectly or beneficially, of more than twenty (20) percent of any class of stock;

4) Any person who furnished more than twenty (20) percent of the capital financing or assets of such business, whether in cash, goods, or services.

g) DISSEMINATION - the transfer of possession, custody, control or ownership of, or the exhibition or presentation of any performance, to a customer, member of the public or business invitee, of any material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

h) SPECIFIED ANATOMICAL AREAS -

1) Less than the completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola.

2) Human male genitals in a discernibly turgid state even if completely and opaquely covered.

i) SPECIFIED SEXUAL ACTIVITIES -

1) Human genitals in a state of sexual stimulation or arousal.

2) Acts of human masturbation, sexual intercourse or sodomy.

3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Restrictions Affecting Adult Uses

In addition to the requirements of the Zoning Ordinance and the Code of the Town of Cheektowaga adult uses shall be permitted subject to the following restrictions:

a) No adult use shall be allowed within five hundred (500) feet of another existing adult use.

b) No adult use shall be located within five hundred (500) feet of the boundaries of any zoning district which is zoned for residential use.

c) No adult use shall be located within five hundred (500) feet of a pre-existing school or place of worship.

d) No adult use shall be located in any zoning district except those districts zoned for general manufacturing use (M-2).

Registration

a) No person, firm, corporation or other entity shall lease, rent, maintain, operate, use or allow to be operated or used any business or establishment,

Item No. 3 Cont'd.

any part of which contains an adult use, without first complying with the provisions of this section as set forth below.

b) In addition to any and all other necessary licenses and permits, no form of adult use shall be allowed to operate, or allowed to continue to operate, until a certificate of registration is filed with the Clerk of the Town of Cheektowaga containing:

1) The address of the premises;

2) The name and address of the owner(s) of the premises and the name and address of the beneficial owner(s) if the property is in a land trust.

3) The name of the business or the establishment subject to the provisions of this article.

4) The name, business and home address, business or home phone numbers of all owners of the business or establishment subject to the provisions of this Article.

5) The names, business and home addresses, business or home phone numbers of all those persons having a substantial connection with the business or establishment subject to the provisions of this Article;

6) The date of the initiation of the adult use.

7) The exact nature of the adult use.

8) If the premises or the building in which the business containing the adult use is located, is leased, a copy of the lease.

c) If there occurs any change in the information required for the certificate of registration, the Clerk of the Town of Cheektowaga shall be notified of such change and a new or amended certificate filed within thirty (30) days of such change.

d) The processing fee for each such certificate of registration or amendment thereto shall be $50.00.

e) No certificate of registration issued under the provisions of this section shall be transferable to any person other than the registrant, nor shall a certificate of registration be transferable for use at any premises, building or location other than stated in the certificate of registration.

f) The owner, manager or agent of any adult use shall cause a copy of the certificate of registration issued under the provisions of this section to be prominently displayed on the premises, building or location for which it is issued.

g) Any knowingly false statement, or any statement which the registrant or applicant should reasonably have known to be false, which is provided in the certificate of registration or any document or information supplied therewith shall be grounds for rejection, suspension or revocation of the certificate of registration.

h) It is a violation of this Article for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an adult use without having in force a certificate of registration complying with this section.

Prohibition Regarding Public Observation

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window or other opening.

No. 22A No. 23 No. 24 No. 25

Item No. 3 Cont'd.

Amortization

In all districts except as provided in this Article, any adult use shall terminate not later than one (1) year after the effective date of this Article, and thereafter, the space or premises or building formerly occupied by such use shall be used only for a conforming use.

When Effective

Upon adoption by the Town Board, this Article shall take effect ten (10) days after its publication in accordance with Section 264 of the Town Law, except that this Article shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the town, showing the date of its passage and entry in the minutes.

and

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, Section 4-11 A., which relates to the principal permitted uses in a General Manufacturing District, shall be amended by the enactment of a new subdivision 9. thereunder as follows:

9. Adult Uses.

and said ordinance shall be further amended as follows:

Subdivision 9. be renumbered as subdivision 10.

* *

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 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, Bella Vista Development has applied for a rezoning from R-Residential District to RC-Restricted Business District on property located at 636 French Road, Cheektowaga, New York, and being more particularly described as follows:

ALL THAT plot of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Farm Lot Number ninety-four (94), Township ten (10), Range seven (7) of the Buffalo Creek Reservation and more particularly described as follows:-

BEGINNING at a point one hundred seventy and three hundredths (170.03) feet and thirty-three (33) feet northerly from the southeast corner of Lot Number ninety-four (94), said point being on the north line of French Road (sixty-six (66) foot right-of-way); thence in a northerly direction on a bearing north 7° 3' east, a distance of one hundred thirty-seven (137) feet to a point; thence easterly on a bearing south 83° 25' east, a distance of one hundred nineteen and nine hundredths (119.09) feet to a point, which intersects a curve fifty-five and sixty-three hundredths (55.63) feet arc distance south of the point of curve having a radius of two hundred fifteen and nine hundredths (215.09) feet; thence southerly along said curve an arc distance of fifty-seven and eighty nine hundredths (57.89) feet to a point of tangent on a reverse curve; thence continuing southerly along said curve, containing a radius of one hundred fifty-five and nine hundredths (155.09) feet an arc distance of eighty-one and eighty-three hundredths (81.83) feet to the point of tangent, still continuing southerly on a bearing south 6° 29' west, a distance of three and thirty-five hundredths (3.35) feet to a point on the north line of French Road; thence westerly north 83° 25' west, a distance of one hundred fifty-seven and ninety-four hundredths (157.94) feet along said north line of French Road to the point or place of beginning.

Item No. 4 Cont'd.

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 18th day of August, 1980 at 7:00 o'clock P.M. Eastern Daylight Saving Time after publication of the notice as required by the provisions of the Town Ordinance and the Town Law of the State of New York, and all interested parties were given an opportunity to be heard at said hearing, AND

WHEREAS the Erie County Division of Planning has recommended denial of said rezoning because it is inconsistent with the Town Proposed Land Use Plan and would create a "spot zone" which is contrary to proper zoning, AND

WHEREAS the Board is aware that approximately 35 traffic accidents have occurred on French Road in the vicinity of said property within the past few years, and that the proposed access on to French Road from the said property may increase the frequency of traffic accidents, NOW, THEREFORE, BE IT

RESOLVED that the proposed rezoning of the above described premises from R-Residential to RC-Restricted Business be, and it hereby is, denied.

Upon Roll Call.....

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

Item No. 5 Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, this Town Board duly held a public hearing on the 18th day of August, 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 streets.

Street	Direction	Entrance Street	Traffic Stops	Sign Location
MAPLEVIEW	North-south	ROST PLACE	Eastbound	S.W. Corner
BARBADOS DRIVE	East-west	JEROME DRIVE (west branch)	Northbound	S.E. Corner
BARBADOS DRIVE	East-west	JEROME DRIVE (east branch)	Northbound	S.E. Corner
BARBADOS DRIVE	East-west	WOODGATE DRIVE	Northbound	S.E. Corner
BARBADOS DRIVE	East-west	WOODGATE DRIVE	Southbound	N.W. Corner
WOODGATE DRIVE	North-south	LE HAVRE DRIVE	Eastbound	S.W. Corner
WOODGATE DRIVE	North-south	LE HAVRE DRIVE	Westbound	N.E. Corner
BARBADOS DRIVE (westerly portion)	North-south	BARBADOS DRIVE (southerly portion)	Westbound	N.E. Corner

Item No. 5 Cont'd.

ARTICLE XIII

Truck Exclusions

Section 130. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

PHILIP DRIVE - Entire Street

CASTLEWOOD DRIVE - Entire Street

AUTUMNWOOD DRIVE - Entire Street

FRANTZEN DRIVE - Entire Street

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 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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of 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

* See Affidavit next page

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

Gladys M. Hechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 11, 1980; last publication September 11, 1980; and that no more than six days intervened between publications.

Gladys M. Hechter

Sworn to before me this 12th day of September, 1980

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

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 September, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Swiatek

WHEREAS, this Town Board duly held a public hearing on the 18th day of August, 1980 to consider the advisability of adoption of 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 streets.

Street, MAPLEVIEW ROAD: Direction, North-south; Entrance Street, ROST PLACE; Traffic Stops, Eastbound; Sign Location, S.W. Corner

Street, BARBADOS DRIVE; Direction, East-west; Entrance Street, JEROME DRIVE (west branch); Traffic Stops, Northbound; Sign Location, S.E. Corner

Street, BARBADOS DRIVE; Direction, East-west; Entrance Street, JEROME DRIVE (east branch); Traffic Stops, Northbound; Sign Location, S.E. Corner

Street, BARBADOS DRIVE; Direction, East-west; Entrance Street, WOODGATE DRIVE; Traffic Stops, Northbound; Sign Location, S.E. Corner

Street, BARBADOS DRIVE; Direction, East-west; Entrance Street, WOODGATE DRIVE; Traffic Stops, Southbound; Sign Location, N.W. Corner

Street, WOODGATE DRIVE; Direction, North-south; Entrance Street, LE HAVRE DRIVE; Traffic Stops, Eastbound; Sign Location, S.W. Corner

Street, WOODGATE DRIVE; Direction, North-south; Entrance Street, LE HAVRE DRIVE; Traffic Stops, Westbound; Sign Location, N.E. Corner

Street, BARBADOS DRIVE (westerly portion); Direction, North-south; Entrance Street, BARBADOS DRIVE (southerly portion); Traffic Stops, Westbound; Sign Location, N.E. Corner

ARTICLE XIII

Truck Exclusions

Section 130. Trucks over five tons excluded.

Trucks in excess of five (5) tons are hereby excluded from the following highways within the Town of Cheektowaga, Erie County, State of New York:

PHILIP DRIVE - Entire street

CASTLEWOOD DRIVE - Entire

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of 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 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 September 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. 5, inclusive, of said book.

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

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

WHEREAS, this Town Board duly held a public hearing on the 18th day of August, 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 is amended by deleting therefrom the following:

A. No parking this side or one side parking

PEINKOFER DRIVE	North side	from the east curbline of BALBACH DRIVE to a point seventy-five (75) feet east of the east curbline of BALBACH DRIVE

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

SHERRY DIRVE	East side and South side	from the existing NO PARKING limit (approximately 500 feet south of south curbline of SEBRING DRIVE) to beginning of east curbline of cul-de-sac (150± feet west of BORDEAUX DRIVE
BORDEAUX DRIVE	East side	from the north curbline of DAVIDSON DRIVE to the south curbline of SHERRY DRIVE
PHILIP DRIVE	West side	from the north curbline of BARBADOS DRIVE to the south edge of the south shoulder of LOSSON ROAD
BARBADOS DRIVE	North side	a portion from the west dubrline of PHILIP DRIVE to the north curbline of LE HAVRE DRIVE
JEROME DRIVE	East side of east branch South side of south branch & West side of west branch	from the south curbline of BARBADOS DRIVE and JEROME DRIVE (east branch) thence southerly, westerly and northerly to the south curbline of BARBADOS DRIVE with the west branch of JEROME DRIVE
BARBADOS DRIVE	South side and east side	a portion from 82 feet west of the west curbline of JEROME DRIVE (west branch), thence extending westerly and southerly 280 feet.

C. No parking here to corner.

PEINKOFER DRIVE	North side	from the east curbline of BALBACH DRIVE to a point 50 feet easterly thereof.
MARYVALE DRIVE	North side	from the west curbline of CAYUGA ROAD to a point 200 feet westerly thereof.

Item No. 6 Cont'd.

Section 2. Time to take effect.

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

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

Section 3. Territorial Application.

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

Section 4. Publication.

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of 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

* See 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 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 September 11, 1980; last publication September 11, 1980; and that no more than six days intervened between publications.

Gladys M. Dechter

Sworn to before me this 12th day of September, 1980.

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

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 September, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving 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 Johnson, Seconded by Councilman Burst

WHEREAS, this Town Board duly held a public hearing on the 18th day of August, 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 is amended by deleting therefrom the following:

A. No parking this side or one side parking

PEINKOFER DRIVE, North side, from the east curbline of BALBACH DRIVE to a point seventy-five (75) feet east of the east curbline of BALBACH DRIVE

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

SHERRY DRIVE, East side and South side, from the existing NO PARKING limit (approximately 500 feet south of south curbline of SEBRING DRIVE) to beginning of east curbline of cul-de-sac (150 ± feet west of BORDEAUX DRIVE

BORDEAUX DRIVE, East side, from the north curbline of DAVIDSON DRIVE to the south curbline of SHERRY DRIVE

PHILIP DRIVE, West side, from the north curbline of BARBADOS DRIVE to the south edge of the south shoulder of LOSSON ROAD

BARBADOS DRIVE, North side, a portion from the west curbline of PHILIP DRIVE to the north curbline of LE HAVRE DRIVE

JEROME DRIVE, East side of east branch South side of south branch & West side of west branch, from the south curbline of BARBADOS DRIVE and JEROME DRIVE (east branch) thence southerly, westerly and northerly to the south curbline of BARBADOS DRIVE with the west branch of JEROME DRIVE

BARBADOS DRIVE, South side and east side, a portion from 82 feet west of the west curbline of JEROME DRIVE (west branch), thence extending westerly and southerly 280 feet

C. No parking here to corner.

PEINKOFER DRIVE, North side, from the east curbline of BALBACH DRIVE to a point 50 feet easterly thereof.

MARYVALE DRIVE, North side, from the west curbline of CAYUGA ROAD to a point 200 feet westerly thereof.

Section 2. Time to take effect.

(a) This amendment shall take effect when properly posted within 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.

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 affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of 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 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 September 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 meeting 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 September, 1980.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 11, 1980

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

WHEREAS, the current Federal Revenue Sharing Act encourages public participation, AND

WHEREAS, a major part of this participation is a Proposed Use Hearing for public input, AND

WHEREAS, the Town is in the process of considering 1981 appropriations, NOW, THEREFORE, BE IT

RESOLVED that a Proposed Use Hearing be held on Monday, September 15, 1980 at 6:30 o'clock P.M., Eastern Daylight Saving Time, in the Council Chambers of the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, AND BE IT FURTHER

RESOLVED that Notice of such hearing be published in the CHEEKTOWAGA TIMES on September 4, 1980.

* * * * * * * * * * * * * *

NOTICE OF PUBLIC HEARING

PROPOSED USE OF FEDERAL REVENUE SHARING FUNDS

6:30 P.M., Eastern Daylight Saving Time -- Monday, September 15, 1980 at the Cheektowaga Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York.

At this time all residents of the Town of Cheektowaga may present written and oral comments on the proposed use of Federal Revenue Sharing Funds for the year 1981.

The Town annually receives approximately $900,000.00 of such funds. If you cannot attend such hearing please direct written comments to the Office of the Supervisor, Cheektowaga Town Hall.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 3, 1980

* * * * * * * * * * * * * *

Upon Roll Call.....

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

* See Affidavit Next Page

No. 22A
No. 23
No. 24
No. 25

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

Gladys M. Leckstein, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 4, 1980; last publication September 4, 1980; and that no more than six days intervened between publications.

Gladys M. Leckstein

Sworn to before me this 5th

day of September, 1980

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

No. 22A
No. 23
No. 24
No. 25

NOTICE OF PUBLIC HEARING
PROPOSED USE OF FEDERAL REVENUE SHARING FUNDS

6:30 P.M., Eastern Daylight Saving Time — Monday, September 15, 1980 at the Cheektowaga Town Hall, corner of Broadway and Union Road, Town of Cheektowaga, New York.

At this time all residents of the Town of Cheektowaga may present written and oral comments on the proposed use of Federal Revenue Sharing Funds for the year 1980.

The Town annually receives approximately $900,000.00 of such funds. If you cannot attend such hearing please direct written comments to the Office of the Supervisor, Cheektowaga Town Hall.

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

RICHARD M. MOLESKI
Town Clerk

DATED: September 3, 1980
PUBLISHED: September 4, 1980

Item No. 8 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Planning Board of the Town of Cheektowaga has recommended that the zoning district classification of a number of parcels of property in the Town be changed so as to conform with present uses, adjacent uses and surrounding neighborhoods; said properties being generally described as follows:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly described as follows:

Tax Account No.	Owner	Address
24-600	Edward Krysztof & wife	Union Road
24-602	Dick O'Connor	4118 Union Road
24-603	Camille A. Colvin	4114 Union Road
24-161	Carlton Fath & wife	4110 Union Road
24-160	Wanda T. Fath	4106 Union Road
24-159	Peter J. Privitera & wife	4104 Union Road
24-158	Peter J. Privitera & wife	4100 Union Road
24-157	Ronald A. Bress & wife	4095 Union Road
24-139	4118 Union Road Corp.	4084 Union Road
24-137	Hattie Lederhouse	4080 Union Road
24-135	Francis R. Santillo & wife	4074 Union Road

and

WHEREAS, a map showing the properties which are proposed to be rezoned is available in the Town Clerk's Office during regular business hours, 9:00 a.m. to 4:30 p.m. for the inspection thereof by all parties in interest and citizens, AND

WHEREAS, the said recommendation was to rezone said area from its present zoning district classifications of CM-General Commercial District to RC-Restricted Business District, AND

WHEREAS, Section 10-00, Article X of the Zoning Ordinance of the Town of Cheektowaga authorizes the Town Board, on its own motion, or on a recommendation by the Zoning Board of Appeals, or the Planning Board, to amend, supplement or repeal the regulations, provisions or boundaries of said Ordinance, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 15th day of September, 1980 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing, AND BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than 10 days prior to the date of said hearing.

* * * * * * * * * * * * * *

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 15th day of September, 1980, at 7:00 o'clock P.M. of said day for the purpose of considering the recommendations of the Planning Board to rezone from their present zoning district classifications of CM-General Commercial District to RC-Restricted Business

Item No. 8 Cont'd.

District the following properties:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly decribed as follows:

Tax Account No.	Owner	Address
24-600	Edward Krysztof & wife	Union Road
24-602	Dick O'Connor	4118 Union Road
24-603	Camille A. Colvin	4114 Union Road
24-161	Carlton Fath & wife	4110 Union Road
24-160	Wanda T. Fath	4106 Union Road
24-159	Peter J. Privitera & wife	4104 Union Road
24-158	Peter J. Privitera & wife	4100 Union Road
24-157	Ronald A. Bress & wife	4095 Union Road
24-139	4118 Union Road Corp.	4084 Union Road
24-137	Hattie Lederhouse	4080 Union Road
24-135	Francis R. Santillo & wife	4074 Union Road

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

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

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

* See next two (2) pages for Map of Area and Affidavit.

DONALD
GENESEE
ST.
FLORAL
PL.
KOKOMO
PL.
EVERGREEN
CLOVER PL.
ST. MARY'S ST.
UNION
ROAD
BLVD.
DR.
COLDEN
AMURRA CT.
23-312
23-315
23-317
23-318
23-319
23-320
23-321
2-479
2-480
2-481
2-482
2-483
2-484
3-631
3-626
3-627
L7554/589
L7044/59
10.77 AC.
.91 AC.
.95 AC.
.99 AC.
COVER
1179
1200
W.N.Y.

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

Gladys M. Deckster, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 4, 1980; last publication September 4, 1980; and that no more than six days intervened between publications.

Gladys M. Deckster

Sworn to before me this 5th

day of September, 1980

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

NO. 22A
NO. 23
NO. 24
NO. 25

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 15th day of September, 1980, at 7:00 o'clock P.M. of said day for the purpose of considering the recommendations of the Planning Board to rezone from their present zoning district classifications of CM-General Commercial District to RC-Restricted Business District the following properties:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly described as follows:

Tax Account No., 24-600; Owner, Edward Krysztof & wife; **Address,** Union Road.

Tax Account No., 24-602; Owner, Dick O'Connor; **Address,** 4118 Union Road.

Tax Account No., 24-603; Owner, Camille A. Colvin; **Address,** 4114 Union Road.

Tax Account No., 24-161; Owner, Carlton Fath & wife; **Address,** 4110 Union Road.

Tax Account No., 24-160; Owner, Wanda T. Fath; **Address,** 4106 Union Road.

Tax Account No., 24-159; Owner, Peter J. Privitera & wife; **Address,** 4104 Union Road.

Tax Account No., 24-158; Owner, Peter J. Privitera & wife; **Address,** 4100 Union Road.

Tax Account No., 24-157; Owner, Ronald A. Bress & wife; **Address,** 4095 Union Road.

Tax Account No., 24-139; Owner, 4118 Union Road Corp.; **Address,** 4084 Union Road.

Tax Account No., 24-137; Owner, Hattie Lederhouse; **Address,** 4080 Union Road.

Tax Account No., 24-135; Owner, Francis R. Santillo & wife; **Address,** 4074 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 parties in interest and citizens will be given an opportunity to be heard in regard to such proposed recommendations.

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 4, 1980

* * * * * * * * * * * * * *

At this point in the meeting, it was brought up that it would be desirable to act on Item Numbers 32, 33, and 34. There was no objection, and, at 8:00 o'clock p.m., the Board moved to Item Number 32.

* * * * * * * * * * * * * *

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

WHEREAS, the Cheektowaga Major Hockey Association has formally approached the Town Board requesting permission to conduct the First Annual International Invitational Hockey Tournament on November 28th, 29th and 30th, 1980, AND

WHEREAS, said Tournament shall be in honor and memory of the late Johnny Bowers, a member of the Cheektowaga Major Hockey Association Pee Wee Minor Team during the 1979-1980 Season, AND

WHEREAS, the Town Board, in its continuing efforts to promote youth oriented activities in the Town of Cheektowaga, has reviewed the proposal from the Cheektowaga Major Hockey Association with their Board of Directors and James J. Matecki, Facilities Department Director, as being in the best interest of the Town, NOW THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves the co-sponsorship of the First Annual Town of Cheektowaga, Cheektowaga Major Hockey Association Johnny Bowers Memorial Invitational Hockey Tournament to be held at the Cheektowaga Recreation Center, Town Park, on November 28th, 29th and 30th, 1980.

Upon Roll Call....

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

Item No. 33 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, the Town of Cheektowaga has approved co-sponsorship with the Cheektowaga Major Hockey Association, the First Annual Town of Cheektowaga, Cheektowaga Major Hockey Association, Johnny Bowers Memorial Invitational Hockey Tournament on November 28th, 29th and 30th, 1980, through prior resolution, NOW THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby proclaims November 30, 1980 as Johnny Bowers Day in memory of the late Johnny Bowers, who as a member of the Cheektowaga Major Hockey Association Pee Wee Minor Team during the 1979-1980 Season, displayed exemplary courage, determination and team leadership.

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, the Town Board has approved, through prior resolution, co-sponsorship of the Town of Cheektowaga, Cheektowaga Major Hockey Association Johnny Bowers Memorial Invitational Hockey Tournament to be held on November 28th, 29th and 30th, 1980, AND

WHEREAS, the Cheektowaga Major Hockey Association has requested permission to utilize the lobby and kitchen areas at the Cheektowaga Recreation Center.

Item No. 34 Cont'd.

on the Tournament dates for the purpose of selling refreshments and skate sharpening in an effort to defray the financial burden of conducting said Tournament, AND

WHEREAS, the Cheektowaga Major Hockey Association is a non-profit organization whose prime purpose is to promote and afford youth hockey opportunities for the residents of Cheektowaga, NOW THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby grant permission to the Cheektowaga Major Hockey Association use of the described areas at the Cheektowaga Recreation Center for the purpose of selling refreshments and skate sharpening on November 28th, 29th and 30th, 1980.

Upon Roll Call.....

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

* * * * * * * * * * * * * *

At this time, Mr. and Mrs. Bowers were presented an award, proclaiming Johnny Bowers Day on November 30th, 1980, by Councilman James R. Burst. After acceptance of the award, the Board returned to Item Number 9.

* * * * * * * * * * * * * *

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

WHEREAS, the Building and Plumbing Inspector and the Town Clerk's Office have recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended or repealed;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 264 of the Town Law of the State of New York, a public hearing be held on the 6th day of October, 1980 at 7:00 o'clock P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as provided in the attached Notice of Hearing; and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, a newspsper published in the Town of Cheektowaga and having a general circulation therein, not less than 10 days prior to the date of said Hearing.

* * * * * * * * * * * * * *

NOTICE OF HEARING

ON PROPOSAL TO AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 3rd day of September, 1980, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of October, 1980 at 7:00 o'clock p.m., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York" shall be amended and changed as follows:

1. RESOLVED THAT ARTICLE IX - BOARD OF APPEALS, Section 9-23, which relates to filing applications before the Board of Appeals and the fees therefor, shall be

Item No. 9 Cont'd.

amended by deleting the words "filing fee of $40.00 for commercial and industrial cases and $20.00 for residential cases" and by substituting therefor the words "filing fee of $100.00 for commercial and industrial cases and $50.00 for residential cases."

2. RESOLVED THAT ARTICLE X - AMENDMENTS, Section 10-21, which relates to the filing of a petition to amend, change or supplement the text of the Zoning Ordinance and the fees therefor, shall be amended by deleting the words "shall be filed with the Town Clerk along with a $40.00 Filing Fee on forms obtained from his office" and by substituting therefor the words "shall be filed with the Town Clerk along with a $100.00 Filing Fee on forms obtained from his office."

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

* See Affidavit Next Page.

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

Gladys M. Deshuter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 18, 1980; last publication September 18, 1980; and that no more than six days intervened between publications.

Gladys M. Deshuter

Sworn to before me this 19th

day of September, 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 AMEND ZONING ORDINANCE

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 3rd day of September, 1980, and in accordance with the provisions of Section 264 of the Town Law of the State of New York, a Public Hearing will be held on the 6th day of October, 1980 at 7:00 o'clock P.M., at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the "Zoning Ordinance of the Town of Cheektowaga, New York," shall be amended and changed as follows:

1. RESOLVED THAT ARTICLE IX — BOARD OF APPEALS, Section 9-23, which relates to filing applications before the Board of Appeals and the fees therefor, shall be amended by deleting the words "filing fee of $40.00 for commercial and industrial cases and $20.00 for residential cases" and by substituting therefor the words "filing fee of $100.00 for commercial and industrial cases and $50 for residential cases."

2. RESOLVED THAT ARTICLE X — AMENDMENTS, Section 10-21, which relates to the filing of a petition to amend, change or supplement the text of the Zoning Ordinance and the fees therefor, shall be amended by deleting the words "shall be filed with the Town Clerk along with a $40.00 Filing Fee on forms obtained from his office" and by substituting therefor the words "shall be filed with the Town Clerk along with a $100.00 Filing Fee on forms obtained from his office."

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 18, 1980

Item No. 10 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 15th day of September, 1980 at 7:00 o'clock P.M. at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga for the purpose of considering the advisability of adopting said amendment and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 4th day of September, 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 15th day of September, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

A. No parking this side or one side parking

LOCHLAND DRIVE	East side	from north curbline of HUTH ROAD to the south curbline of CLEVELAND DRIVE
PEACHROW LANE	East side & South side	from the north curbline of GARDENVALE ROAD to west curbline of HEATHER ROAD

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

LOCHLAND DRIVE	West side	from the north curbline of HUTH ROAD to the south curbline of CLEVELAND DRIVE
PEACHROW LANE	West side & North side	from the north curbline of GARDENVALE ROAD to west curbline of HEATHER ROAD

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

* See Affidavit Next Page

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

Gladys M. Seckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 4, 1980; last publication September 4, 1980; and that no more than six days intervened between publications.

Gladys M Seckter

Sworn to before me this 5th day of September, 1980

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

No. 22A

No. 23

No. 24

No. 25

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 15th day of September, 1980 at 7:00 o'clock P.M. Eastern Daylight Saving Time, to consider the advisability of adopting an amendment to the Traffic Ordinance of the said Town of Cheektowaga which was adopted on July 17, 1967, said proposed amendment being as follows:

ARTICLE X

Parking, Standing and Stopping

Section 102 is amended by deleting therefrom the following:

A. No parking this side or one side parking

LOCHLAND DRIVE, East side, from north curbline of HUTH ROAD to the south curbline of CLEVELAND DRIVE

PEACHROW LANE, East side & South side, from the north curbline of GARDENVALE ROAD to west curbline of HEATHER ROAD

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking.

LOCHLAND DRIVE, West side, from the north curbline of HUTH ROAD to the south curbline of CLEVELAND DRIVE

PEACHROW LANE, West side & North side, from the north curbline of GARDENVALE ROAD to west curbline of HEATHER ROAD

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

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 4, 1980

No. 22A

No. 23

No. 24

No. 25

Item No. 11 — Notice to Bidders: Stage I, Phase II of the Cedargrove Heights Neighborhood Improvement Program
Item Withdrawn until September 15, 1980 meeting.

Item No. 12 — 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 sodium chloride (rock salt), cinders and calcium for road maintenance during the winter season; and snow fences, posts and tie wires, for use by the Cheektowaga Highway Department. Information for bidders and specifications, with bid sheets, 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., September 15, 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 the seasonal requirements before 7:00 P.M. on September 15, 1980; all sealed bids received will be publicly opened and read. Each sealed bid to be plainly marked "SEALED BID FOR SEASONAL REQUIREMENTS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

CINDERS	Washed, screened, grated 1/8" -1/4" only. No clinkers or lumps acceptable. Delivery shall be on a 24 hour call.
SODIUM CHLORIDE	(ROCK SALT) price per ton in bulk at 3145 Union Road, Cheektowaga, New York. Delivery by truck FOB and price per ton at Buffalo, New York and price per ton at Retsof, New York.
CALCIUM	Per 100 lb. bag, delivered to 3145 Union Road, Cheektowaga, New York.
SNOW FENCE	Delivered to Cheektowaga Highway Department - 48" high in 50 ft. rolls.
6 FOOT TEE POSTS	To be used in erecting the 48" high fencing, to be delivered to the Cheektowaga Highway Department, 3145 Union Road, Cheektowaga, New York.
TIE WIRES	11 inch/14 gauge to be used in conjunction with snow fence and posts.

The Superintendent of Highways reserves the right to reject any or all bids. All bids to be in accordance with the specifications and instructions to bidders, prepared by Alfred F. Wnek, Superintendent of Highways for the Town of Cheektowaga, New York.

All bids to be publicly opened and read at the time and place as specified. Town Hall, Broadway and Union Roads, Cheektowaga, New York. Bidders may attend the public opening thereof, if they so desire.

SIGNED_____
RICHARD M. MOLESKI, TOWN CLERK

DATED: August 25, 1980
PUBLISHED: September 4, 1980

* * * * * * * * * * * * *

Item No. 12 Cont'd.

Upon Roll Call.....

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

* See Affidavit on Next Page.

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

Gladys M. Deshler, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 4, 1980; last publication September 4, 1980; and that no more than six days intervened between publications.

Gladys M. Deshler

Sworn to before me this 5th day of September, 1980.

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 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 the seasonal requirements before 7:00 P.M. on September 15, 1980; all sealed bids received will be publicly opened and read. Each sealed bid to be plainly marked "SEALED BID FOR SEASONAL REQUIREMENTS FOR THE TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT."

CINDERS — Washed, screened, grated 1/8" - 1/4" only. No clinkers or lumps acceptable. Delivery shall be on a 24 hour call.

SODIUM CHLORIDE — (ROCK SALT) price per ton in bulk at 3145 Union Road, Cheektowaga, New York. Delivery by truck FOB and price per ton at Buffalo, New York and price per ton at Retsof, New York.

CALCIUM — Per 100 lb. bag, delivered to 3145 Union Rd., Cheektowaga, New York.

SNOW FENCE — Delivered to Cheektowaga Highway Department - 48" high in 50 ft. rolls.

6 FOOT TEE POSTS — To be used in erecting the 48" high fencing, to be delivered to the Cheektowaga Highway Dept., 3145 Union Rd., Cheektowaga, New York.

TIE WIRES — 11 inch/14 gauge to be used in conjunction with snow fence and posts.

The Superintendent of Highways reserves the right to reject any or all bids. All bids to be in accordance with the specifications and instructions to bidders, prepared by Alfred F. Wnek, Supt. of Highways for the Town of Cheektowaga, New York.

All Bids to be publicly opened and read at the time and place as specified. Town Hall, Broadway and Union Roads, Cheektowaga, New York. Bidders may attend the public opening thereof, if they so desire.

RICHARD M. MOLESKI
Town Clerk

DATED: August 25, 1980
PUBLISHED: September 4, 1980

No. 22A
No. 23
No. 24
No. 25

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

WHEREAS, Michael J. Miecznikowski was serving in the position of Senior Recreation Supervisor for the Cheektowaga Recreation Department, AND

WHEREAS, Michael J. Miecznikowski was appointed to the temporary position of "Director of Recreation" by Town Board resolution dated August 18, 1980, NOW, THEREFORE, BE IT

RESOLVED that Michael J. Miecznikowski of Depew, New York 14043 be and hereby is granted a leave of absence from his former position of Senior Recreation Supervisor while serving in the temporary position of Director of Recreation; said leave of absence shall be for a period of six months, retroactive to August 16, 1980.

Upon Roll Call.....

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

Item No. 14 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, a temporary vacancy exists in the position of Senior Recreation Supervisor in the Recreation Department

NOW, THEREFORE, BE IT RESOLVED that Larry T. Brownell, , Cheektowaga, New York 14225 be and hereby is appointed to the temporary position of "Senior Recreation Supervisor", effective September 3, 1980 at a salary of $13,260, said annual salary previously approved by the Town Board for the position of Senior Recreation Supervisor.

Upon Roll Call.....

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

Item No. 15 Motion by Councilman Burst, seconded by Councilman Rogowski

WHEREAS, the Council Office is in need of additional staffing to help perform various secretarial duties, NOW, THEREFORE, BE IT

RESOLVED that Lisa A. Sisti of be and hereby is hired as a part-time secretary in the Council Office at an hourly rate of $3.75 per hour, effective September 8, 1980, AND BE IT

FURTHER RESOLVED that said employee shall not work in excess of 20 hours per week.

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, the necessary PO-17 forms have been submitted to the Erie County Personnel Department for the creation of a Clerk-Typist position in the Police Department, AND

Item No. 16 Cont'd.

WHEREAS the Erie County Personnel Department has approved the creation of said position, NOW, THEREFORE, BE IT

RESOLVED that the position of Clerk-Typist in the 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. 17 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, the position of Employment Counselor has been previously created in the Youth Bureau, AND

WHEREAS, said position has been posted in accordance with the bargaining agreement between the Town of Cheektowaga Employee's Association and the Town of Cheektowaga, AND

WHEREAS, Bernadette Platt of , Cheektowaga, New York, appears on the most recent Civil Service List of eligibles for the position of Employment Counselor, NOW, THEREFORE, BE IT

RESOLVED that Bernadette Platt be and hereby is appointed to the position of Employment Counselor in the Youth Bureau at a salary in accordance with the current agreement between the Town of Cheektowaga and the Town of Cheektowaga Employee's Association, said appointment effective October 1, 1980.

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, various Departments in the Town require additional help to supplement their full-time staff, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are hired in the various Town Departments as specified below, effective as of September 2, 1980 unless otherwise noted:

FACILITIES DEPARTMENT - SEASONAL LABORER - $3.10 per hour

Kenneth G. Ganje
Michael Sweda

SANITATION DEPARTMENT - SEASONAL LABORER - $3.10 per hour

Henry V. Wanderlich

POLICE DEPARTMENT - SEASONAL CLERICAL - $3.10 per hour

Ellen Piniarski
Alice Ciesla
(effective 9/13/80)

JUSTICE COURT - PART-TIME CLERK - $3.25 per hour

Terry Marlinski

Item No. 18 Cont'd.

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, an employee of the Sanitation Department, namely Bernard J. Kelm, has consistently violated the Rules and Regulations by having excessive absenteeism and has been unable to perform work assignments, AND

WHEREAS, said employee has been previously given oral warning, written warning and failed to attend and complete Alcoholic programs set up by the Town Counselor and Town of Cheektowaga Employees Association, AND

WHEREAS, said employee is unable to perform his duties due to physical incapability as indicated by the Town Health Officer dated March 13, 1979, AND

WHEREAS, Florian F. Majchrzycki, Acting Assistant Working Foreman of the Sanitation Department, recommended that Bernard J. Kelm be terminated, NOW, THEREFORE, BE IT

RESOLVED that Bernard J. Kelm be and hereby is terminated as an employee of the Cheektowaga Sanitation Department for excessive absenteeism, and work performance, retroactive to March 13, 1979.

Upon Roll Call.....

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

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

WHEREAS, several members of the Traffic Safety Commission have terms expiring September 1, 1980, AND

WHEREAS, the bylaws of the Traffic Safety Commission provide that appointments to full terms be made in January of each year, AND

WHEREAS, it is necessary that interim appointments be made to cover the period from September 1, 1980 to December 31, 1980, NOW, THEREFORE, BE IT

RESOLVED that the following interim appointments be and are hereby made to the Traffic Safety Commission:

Alex J. Thrun	Cheektowaga, N.Y.
Patrick Costrine	Cheektowaga, N.Y.
Charles Getz	Cheektowaga, N.Y.
Theodore Kurk	Cheektowaga, N.Y.
John Sandilands	Marilla, N.Y.

Upon Roll Call.....

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

* * * * * * * * * * * * *

At 8:25 P.M. it was brought up that it would be beneficial for all concerned for the Board to act upon Item Number 45. There was no objection, and the Board moved to Item No. 45.

* * * * * * * * * * * * *

Item No. 45 Petition from Sharon Court, East & West Melcourt Homeowners regarding rodent infestation along back yards of the above named streets. Ms. Marcia Mateczun presented the petition to the Board.
Received and Filed.

* * * * * * * * * * * * *

At 9:20 P.M. the Board concluded discussion on Item No. 45 and returned to Item No. 21.

* * * * * * * * * * * * *

Item No. 21 Motion by Councilman Dux, seconded by Councilman Rogowski

WHEREAS the State Office of Court Administrations will be conducting a Justice Training Program and Seminar at the Nevele Club, Ellenville, New York beginning September 14 thru September 17, 1980, and

WHEREAS Town Justice Henry R. Gabryszak is required to attend the advanced classes in order to be qualified and certified within one year after his election and further is required to take and pass an examination in order to continue serving in the judicial capacity and public office which he holds, NOW, THEREFORE, BE IT

RESOLVED that Town Justice Henry R. Gabryszak is hereby authorized to attend the Justice Training Program and Seminar at the Nevele Club, Ellenville, New York September 14 - 17, 1980 and BE IT FURTHER

RESOLVED that Justice Henry R. Gabryszak shall be reimbursed for all necessary and reasonable travel expenses in connection with said seminar, at a sum not to exceed $400.00.

Upon Roll Call.....

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

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

WHEREAS, the State Office of Court Administration will be conducting a seminar for Town and Village Court Clerks in conjunction with the New York State Association of Magistrates Judicial Conference from September 14-17, 1980, at the Nevelle Country Club in Ellenville, New York, AND

WHEREAS, topics to be discussed at said conference include: Department of Audit and Control, Criminal Disposition Reporting, Procedures Upon Appeal, Small Claims Proceedings, and Court Administrative Functions, AND

WHEREAS, Town Justices Henry R. Gabryszak and Dennis L. Repka, have requested permission from the Town Board to authorize Thomas Kolbert, Clerk of Justice Court, to attend said Conference, NOW, THEREFORE, BE IT

RESOLVED that Thomas Kolbert is hereby authorized to attend the seminar for Town and Village Court Clerks, September 14-17, 1980 at the Nevelle

Item No. 22 Cont'd.

Country Club, Ellenville, New York, and BE IT FURTHER

RESOLVED that Thomas Kolbert shall be reimbursed for all necessary and reasonable travel expenses in connection with said conference, at a sum not to exceed $400.00.

Upon Roll Call.....

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

Item No. 23a Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE BE IT

RESOLVED that the following employees are hereby hired and assigned to the Village of Depew Municipal Building, as a Clerk or Clerk-Typist, at a salary rate of $7,463.00/ a year, AND, BE IT FURTHER

RESOLVED that they will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Marion Ziemer - Clerk-Typist
Depew, New York 14043

Mary Beth Wolbrecht - Clerk
Depew, New York 14043

Verna Rice - Clerk
Depew, New York 14043

Anne Marke Fedick - Clerk-Typist
Depew, New York 14043

Upon Roll Call.....

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

Item No. 23b Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that the following employees are hereby hired and assigned to the Depew Union Free School, as a laborer at a salary rate of $3.21 an hour, AND, BE IT FURTHER

RESOLVED that they will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

John Eisenhauer
Cheektowaga, New York 14225

David Swinnics
Sloan, New York 14212

Item No. 23b Cont'd.

Upon Roll Call.....

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

Item No. 23c Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE BE IT

RESOLVED that Nancy DeRose of Cheektowaga, New York 14227, Social Security Number , is hereby hired and assigned to the BOCES Potter Road Occupational Center, as a Clerk-Typist at a salary rate of $7700.00 a year, AND, BE IT FURTHER,

RESOLVED that Nancy DeRose will be placed on the Cheektowaga Payroll as a convenience to the worksite. Her pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Upon Roll Call.....

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

Item No. 24a Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Patricia Borucki of , Cheektowaga, New York 14225, was hired under the Comprehensive Employment and Training Act of 1973, Title IID, as a School Nurse at the Cheektowaga Central School System, AND

WHEREAS, Cheektowaga Central School System has had an increment, NOW, THEREFORE, BE IT

RESOLVED that Patricia Borucki's salary be raised to $12,322.80 per year retroactive to July 1, 1980.

Upon Roll Call.....

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

Item No. 24b Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, Margaret Hilgers of , Cheektowaga, New York 14215, was hired under the Comprehensive Employment and Training Act of 1973, Title IID, as a clerk at the Maryvale School System, AND

WHEREAS, Maryvale School System has had an increment, AND, NOW, THEREFORE, BE IT

RESOLVED that Margaret Hilger's salary be raised to $3.98/an hour retroactive to July 1, 1980.

Upon Roll Call.....

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

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

WHEREAS, the Town of Cheektowaga desires a traffic control signal at the intersection of Dick Road and North Creek Drive, and

WHEREAS, the Town Board of Cheektowaga wishes to insure the safety and well being of residents of the Dick Road-North Creek Drive area by installing the traffic signal at that existing intersection as soon as possible, and

WHEREAS, an appropriate traffic flow study has been conducted indicating a use of said intersection by over 25,000 vehicles per day, and

WHEREAS, the County of Erie requires a signed Installation and Maintenance Permit as Dick Road is a County Road, and

WHEREAS, the permit application specifies certain conditions and requirements in the granting of said permit, and

WHEREAS, the Town Board accepts the conditions and requirements of said permit, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to sign said permit on behalf of the Town of Cheektowaga, AND BE IT FURTHER

RESOLVED that the Town Board of Cheektowaga 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 Dick Road-North Creek 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. 26 Motion by Councilman Johnson, seconded by Councilman Wegner

WHEREAS, the Cheektowaga-Sloan Union Free School District has requested the Town Highway Superintendent to aid said school district by paving the driveway at the Grover Cleveland School located at Rossler and Dingens Streets, AND

WHEREAS, the General Municipal Law, entitled Article 5-G -- Municipal Cooperation, Sections 119-m to 119-oo provides for such an arrangement, AND

WHEREAS, it appears that the Town may provide equipment, operators of said equipment and labor for such purposes provided the Town is reimbursed for the use of said equipment, operators and labor, AND

WHEREAS, such project by the Town may be undertaken provided an Agreement is signed by the Town and the school district, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby consents to the arrangement whereby the Town Highway Superintendent is authorized to provide the essential equipment, operators and labor for the purpose of paving the Cheektowaga-Sloan Union Free School District driveway at the Grover Cleveland School, AND BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign any and all Agreements relating thereto in conjunction with the provisions

Item No. 26 Cont'd.

of Article 5-G, Sections 119-m to 119-oo of the General Municipal Law of the State of New York.

Upon Roll Call.....

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

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

WHEREAS, there is situate within the Town of Cheektowaga, County of Erie, State of New York, a town highway known as Schlenker Avenue, situated a block south of Walden Avenue and intersecting with Union Road, AND

WHEREAS, said highway was formerly a deadend street, AND

WHEREAS, the Traffic Safety Commission has recommended that said highway be re-designated as such, AND

BE IT RESOLVED that the Town Board of the Town of Cheektowaga directs the Town Superintendent of Highways to properly post and maintain Schlenker Avenue as a deadend street.

Upon Roll Call.....

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

Item No. 28 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Article VI, Section 6-01 of the Zoning Ordinance of the Town of Cheektowaga requires that s Special Permit be obtained from the Town Board for all uses listed as subject to a special permit, AND

WHEREAS, frequent requests are made to the Town Board for Special Permits, AND

WHEREAS, the present Special Permit Request Form has proved to be inadequate in that it fails to provide enough information for a thorough evaluation to be made, AND

WHEREAS, the Cheektowaga Town Attorney's Office has prepared a new Special Use Permit Application and Special Use Permit,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cheektowaga hereby approves and adopts the Special Use Permit Application and Special Use Permit, as prepared by the Town Attorney's Office; a copy of such forms being appended to this resolution.

* See Next 4 Pages For Special Use Permit Application.

(For Official Use Only)

Application No._____ Filing Deadline_____

Approved by_____ Hearing Date_____

Date_____ Public Notice Date_____

Building Permit_____

- - - -

8. State present use of premises:

9. State proposed use of premises:

10. Give extent of proposed alterations:

B. REQUEST

The applicant requests a special permit for the use of the property above for_____ as provided under provisions of Article _____ Section _____ Subsection _____ Paragraph _____ of the Zoning Ordinance and in support thereof submits the following documents:

..... copies of detailed plans showing site, elevations and plans of structures and accessory use areas and landscaped development of the entire parcel devoted to the Special Permit use.

..... copies of the location map showing the relationship of the proposed site to the surrounding neighborhood, traffic ways, land uses, and other pertinent data.

C. APPLICANT'S ALLEGATIONS

The applicant alleges that the proposed Special Permit use:

1. would be in harmony with the orderly development of the district in which it is located because:

_____

_____

_____

2. and that it would not be detrimental to the property or persons in the neighborhood because:

_____

_____

_____

3. and that it would not increase the traffic flow in the area to the extent that traffic safety would be endangered because:

_____

_____

_____

4. and furthermore that it would conform to the standards as prescribed by the Town Board so as to promote the general health and welfare of the community and preserve the property values thereof.

D. OTHER INFORMATION REQUIRED

1. The undersigned further states that no rezoning or other matter relating to said property or the proposed building has been recently or is now the subject of proceedings before the Town Board or before the Planning Board of the Town of Cheektowaga, except as follows:_____

_____

2. All information required to be disclosed pursuant to Section 809 of the General Municipal Law (see attached) is as follows:_____

_____

3. Please state if application is subject to Section 239-m of the General Municipal Law (see attached) as follows:_____

_____

4. If the application is for resident professional, copies of credentials must be furnished with the application.

5. A statement by the owner of the site stating that he approves of and is a party to the proposed special use application must be provided.

6. The applicant must have signed approval of the Traffic Safety Committee of the Town of Cheektowaga, N. Y., Police Department, 3223 Union Road, Town of Cheektowaga, N. Y. (14227).

The undersigned solemnly swears that all statements made herein are true and that all drawings submitted correctly show the situation involved in this appeal. Herewith, the sum of $_____, (As stated in Article X, §10-21 of the Zoning Ordinance of the Town of Cheektowaga), to pay the cost of publishing a notice for public hearing. Further, that it is understood that additional information may be required by the Planning Board and/or the Town Board of the Town of Cheektowaga, New York.

Applicant:_____

Address: _____

_____

Subscribed and sworn to before me

this_____day of_____, 19__.

_____

Notary Public, Erie County, New York

Section 809. Disclosure in certain applications.

1. Every application, petition or request for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

a) is the applicant, or
b) is an officer, director, partner or employee of the applicant, or
c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. NA

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

Section 239-M Notice of certain proposed municipal zoning actions to be submitted to county, metropolitan or regional planning agency; report thereon; final action.

In any city, town or village which is located in a county which has a county Planning Board, Commission or other agency, hereinafter referred to as a county planning agency, or, in the absence of a county planning agency, which is within the jurisdiction of a metropolitan or regional planning commission, board or other agency, duly created pursuant to the provisions of law, hereinafter referred to as a metropolitan or regional planning agency, each municipal body which has jurisdiction to adopt or amend zoning regulations, or to issue special permits or grant variances pursuant to such regulations, shall, before taking final action on certain of such matters, refer the same to such county, metropolitan or regional planning agency. The term "special permit" shall be deemed to include any special permit, use permit, exception, or other special authorization which a board of appeals, planning board or legislative body is authorized to issue under the provisions of any zoning ordinance.

The matters covered by this section shall include: (1) any municipal zoning regulation, or any amendment thereof, which would change the district classification of or the regulations applying to real property lying within a distance of five hundred feet from the boundary of any city, village, or town, or from the boundary or any existing or proposed county or state park or other recreation area, or from the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, or from the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or from the existing or proposed boundary of any county or state owned land on which a public building or institution is situated; and (b) any special permit or variance affecting such real property within such distance of five hundred feet. The term "proposed" shall be deemed to include only those recreation areas, parkways, thruways, expressways, roads or highways which are shown on a county plan adopted pursuant to subdivision two of section two hundred thirty-nine-d of the general municipal law or adopted on an official map pursuant to section two hundred thirty-nine-g of such law.

(excerpt)

Item No. 28 Cont'd.

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 Swiatek

BE IT RESOLVED that Joseph G. Sacco, Esq., Attorney at Law, with offices located at 22 Victoria Boulevard, Kenmore, New York 14214, be and is hereby retained to represent the Town of Cheektowaga in the pending assessment review proceedings brought by the following petitioners:

AMERICAN TELEPHONE & TELEGRAPH COMPANY
JAMES F. MIETLICKI and JUDITH M. MIETLICKI
AMERICAN OPTICAL CORPORATION
BRONDY REAL ESTATE CO., INC.
HAROLD SCHECTMAN, et al
GTE PRODUCTS CORPORATION formerly GTE SYLVANIA, INC.
N.O. EDGEBROOK REALTY ASSOCIATION
MADER CORPORATION EMPLOYEES PENSION AND PROFIT SHARING TRUST
MARC EQUITY CORPORATION (Tax Account No. 3-836-10) (sic)
MARC EQUITY CORPORATION (Tax Account No. 3-386-11)
MARC EQUITY PARTNERS I, SUCCESSOR IN INTEREST TO
W.N.Y. PROPERTY MGMT., INC.
W.N.Y. PROPERTY MGMT., INC. (Tax Account No. 2-306-12)
W.N.Y. PROPERTY MGMT., INC. (Tax Account No. 2-306-10)
W.N.Y. PROPERTY MGMT., INC. (Tax Account No. 2-306-9)
MARC EQUITY PARTNERS I, SUCCESSOR IN INTEREST TO
W.N.Y. PROPERTY MGMT., INC. (Tax Account No. 2-306-13)
MARC EQUITY PARTNERS I, SUCCESSOR IN INTEREST TO
W.N.Y. PROPERTY MGMT., INC. (Tax Account No. 2-306-11)
CAREFREE PARK ASSOCIATES
GIBRALTER STEEL CORPORATION (Tax Account No. 3-772)
GIBRALTER STEEL CORPORATION (Tax Account No. 3-772-10)

and BE IT FURTHER

RESOLVED that his reasonable fees and expenses be paid by the Town, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Joseph G. Sacco, Esq.

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, residents in Sanitary Sewer District No. 3 have been experiencing sanitary sewer back-ups and what appears to be possible inflow and infiltration of storm waters into the sanitary sewer system, AND

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

WHEREAS, it appears that a Pilot Project which would include the submission of applications by any interested property owner who is adversely

affected by sanitary sewer back-up problems in the homeowner's basement, or storm waters in the basement or adjacent ground area, which may be suspected of infiltrating the sanitary sewer system is necessary and appropriate, AND

WHEREAS, such investigative and corrective work has proven in the past to be effective in controlling such infiltration, AND

WHEREAS, it is desired to select applicants, which are judged to compose, as a group, an overall sampling of the storm water infiltration into the sanitary sewer system with the ultimate objective to correct any defects resulting therefrom, AND

WHEREAS, it appears that such a project would benefit all residents in Sanitary Sewer District No. 3, AND

WHEREAS, said Pilot Project appears to be permissible under the applicable provisions of Section 198 of the Town Law whereby the Town can expend monies for such purposes from the Sanitary Sewer District No. 3 funds as budgeted by the Town, NOW, THEREFORE, BE IT

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

RESOLVED, that the expenses of such project, including labor and materials, be chargeable to the Sanitary Sewer District No. 3 budget in an amount not to exceed $4,900.00.

- -

Motion by Councilman Burst, seconded by Councilman Swiatek to amend the above resolution to include the following:

"BE IT FURTHER RESOLVED that the Town Engineer make recommendations to the Town Board, as the Board of Managers, in and for Sanitary Sewer District Number 3, as to the specific properties which are to be served by said Pilot Project; and the Town Board, as such Board of Managers, will then make the appropriate decision designating the said properties."

- -

AND THE VOTE ON THE AMENDMENT WAS AS FOLLOWS:

Upon Roll Call.....

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

"AMENDED RESOLUTION"

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, residents in Sanitary Sewer District No. 3 have been experiencing sanitary sewer back-ups and what appears to be possible inflow and infiltration of storm waters into the sanitary sewer system, AND

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

Item No. 30 Cont'd.

sanitary sewer system, AND

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

WHEREAS, such investigative and corrective work has proven in the past to be effective in controlling such infiltration, AND

WHEREAS, it is desired to select applicants, which are judged to compose, as a group, an overall sampling of the storm water infiltration into the sanitary sewer system with the ultimate objective to correct any defects resulting therefrom, AND

WHEREAS, it appears that such a project would benefit all residents in Sanitary Sewer District No. 3, AND

WHEREAS, said Pilot Project appears to be permissible under the applicable provisions of Section 198 of the Town Law whereby the Town can expend monies for such purposes from the Sanitary Sewer District No. 3 funds as budgeted by the Town, NOW, THEREFORE, BE IT

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

RESOLVED that the Town Engineer make recommendations to the Town Board, as the Board of Managers, in and for Sanitary Sewer District Number 3, as to the specific properties which are to be served by said Pilot Project; and the Town Board, as such Board of Managers, will then make the appropriate decision designating the said properties, AND, BE IT FURTHER,

RESOLVED, that the expenses of such project, including labor and materials, be chargeable to the Sanitary Sewer District No. 3 budget in an amount not to exceed $4,900.00.

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 Burst

WHEREAS, the Cheektowaga Little Loop Athletic Association Inc. is in need of an additional football field for the purpose of conducting league home games at Cheektowaga Town Park on September 20th, October 11th, October 18th, November 1st and November 8th, 1980, AND

WHEREAS, a certificate of insurance from the McMahon Agency Inc., 232 Delaware Avenue, Buffalo, New York 14202 for $300,000.00 Bodily Injury and $50,000.00 Property Damage Insurance has been presented and attached to said resolution by the Cheektowaga Little Loop Athletic Association, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby grants the Cheektowaga Little Loop Athletic Association Inc., P.O. Box 16, Cheektowaga, New York 14225 permission to utilize the outfield area of the Hardball Diamond No. 2 at Cheektowaga Town Park for the express purpose of conducting league home games as described in said resolution.

* See next two (2) pages for Certificate of Insurance.

SET TAB STOPS AT ARROWS

Certificate of Insurance

ACORD

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

NAME AND ADDRESS OF AGENCY

McMahon Agency Inc.
232 Delaware Avenue
Buffalo, New York 14202

NAME AND ADDRESS OF INSURED

Cheektowaga Little Loop Athletic Assoc. Inc.
P.O. Box 16
Cheektowaga, New York 14225
c

COMPANIES AFFORDING COVERAGES

COMPANY LETTER **A** Commercial Union Ins. Co.

COMPANY LETTER **B**

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

COMPANY LETTER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability in Thousands (000)	EACH OCCURRENCE	AGGREGATE
A	**GENERAL LIABILITY** ☐ COMPREHENSIVE FORM ☒ PREMISES—OPERATIONS ☐ EXPLOSION AND COLLAPSE HAZARD ☐ UNDERGROUND HAZARD ☐ PRODUCTS/COMPLETED OPERATIONS HAZARD ☐ CONTRACTUAL INSURANCE ☐ BROAD FORM PROPERTY DAMAGE ☐ INDEPENDENT CONTRACTORS ☐ PERSONAL INJURY	CJE 49 77 26	7-20-81	BODILY INJURY	$300,	$300,
				PROPERTY DAMAGE	$ 50,	$ 50,
				BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	$
				PERSONAL INJURY		$
	AUTOMOBILE LIABILITY ☐ COMPREHENSIVE FORM ☐ OWNED ☐ HIRED ☐ NON-OWNED			BODILY INJURY (EACH PERSON)	$	
				BODILY INJURY (EACH ACCIDENT)	$	
				PROPERTY DAMAGE	$	
				BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	
	EXCESS LIABILITY ☐ UMBRELLA FORM ☐ OTHER THAN UMBRELLA FORM			BODILY INJURY AND PROPERTY DAMAGE COMBINED	$	$
	WORKERS' COMPENSATION and EMPLOYERS' LIABILITY			STATUTORY		
					$	(EA. ACCIDENT)
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES

EXCLUSION: SEE ENDORSEMENT L9139
"ATHLETIC PARTICIPANTS" ATTACHED

Cancellation: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 10 days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

NAME AND ADDRESS OF CERTIFICATE HOLDER: ADDITIONAL INSURED

Town of Cheektowaga Town Park
2600 Harlem Road
Cheektowaga, New York 14225

DATE ISSUED: August 22, 1980 ds

McMAHON AGENCY, INC.
PER _____
AUTHORIZED REPRESENTATIVE

ACORD 25 (1-79)

(The Attaching Clause need be completed only when this endorsement is issued subsequent to preparation of the policy.)

LIABILITY

GL 21 01 (Ed. 07 66)
G 302

L 9139
(Ed. 7-66)

EXCLUSION
(Athletic Participants)

This endorsement modifies such insurance as is afforded by the provisions of the policy relating to the following:
COMPREHENSIVE GENERAL LIABILITY INSURANCE
OWNERS', LANDLORDS' AND TENANTS' LIABILITY INSURANCE

This endorsement, effective (12:01 A. M., standard time) , forms a part of policy No.

issued to

by

.....
Authorized Representative

Description of Operations:

Athletic games - sponsored by the insured
Code 79422

It is agreed that with respect to operations described above or designated in the policy as subject to this endorsement, the insurance does not apply to **bodily injury** to any person while practicing for or participating in any contest or exhibition of an athletic or sports nature sponsored by the **named insured.**



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. 35 Motion by Councilman Dux, seconded by Councilman Johnson

WHEREAS, the Town needs additional open space in recreational facilities, particularly in the north-central area of the Town, AND

WHEREAS, there is an adequate amount of Town-owned property in that area of the Town to accomodate the needed recreation, AND

WHEREAS, the area commonly known as Nob-Hill had been previously identified as being suitable for recreational use, AND

WHEREAS, Nob-Hill is accessible to area residents and is adequate in size to accomodate recreational and parking uses, NOW, THEREFORE, BE IT

RESOLVED that the Town proceed to acquire a portion of that property commonly known as Nob-Hill that is conducive to recreational use, AND BE IT

FURTHER RESOLVED that the Town Planning Consultant provide to the Town Attorney a description and location of that specific portion of Nob-Hill recommended for recreational use, AND BE IT

FURTHER RESOLVED that the Town Attorney prepare the necessary and appropriate documents to cause the acquisition of a portion of that property commonly known as Nob-Hill through the Town's power of eminent domain.

Upon Roll Call.....

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

Item No. 36 a Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at vacant lot located north of 436 Borden Road, Cheektowaga, New York (Tax Account number 1-249) and according to the Assessor's Office records is owned by Walkowiak Development Corp. 1325 North Forest, Amherst, New York 14221, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call.....

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

Item No. 36b Motion by Councilman Wegner, seconded by Councilman Swiatek

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at vacant lot located west of 19 Creekside Drive, Cheektowaga, New York (Tax Account Number 12-240, sublot 79, 80 and 81) and according to the Assessor's Office records is owned by Mr. John Glian, West Seneca, New York 14224, AND

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

Upon Roll Call.....

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

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

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

SPECIAL DISTRICT FUND

FROM	AMOUNT	TO
S.8125.493 (SD No. 5-Remedial)	$ 15,000.00	S.8125.450 (S.D. NO. 5-Legal Services)

FRS FUND

FROM	AMOUNT	TO
CF.8540.400 (Drainage)	$ 30,000.00	CF.8540.413 (Randy Way-Drain.)
CF.8540.400 (Drainage)	8,000.00	CF.8540.404 (Easements)
CF.8540.400 (Drainage)	1,500.00	CF.8540.420 (Property Acq.- Scaj. T-2)
CF.8540.400 (Drainage)	20,000.00	CF.8540.409 (Erosion Control - General)
CF.8540.400 (Drainage)	6,000.00	CF.8540.411 (Cayuga Creek-Drainage)
CF.8540.400 (Drainage)	60,000.00	CF.8540.421 (Losson Road-Approach)
CF.8540.400 (Drainage)	6,000.00	CF.8540.422 (Eggert Paving)
CF.8540.400 (Drainage)	35,500.00	CF.8540.423 (Rossler Bridge-Trans. to Cap. Fund)

Upon Roll Call.....

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

No. 22A No. 23 No. 24 No. 25

Item No. 38 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 September 3rd, 1980 are hereby approved and the SUPERVISOR is ordered to pay same.

FUND	CHECK NO. FROM - TO	AMOUNT
GENERAL FUND	16699-16703,16526-16683,16688-16696	$ 81,320.01
SPECIAL DISTRICT FUND	7578-7639	188,254.21
HIGHWAY FUND	5715-5743	15,196.02
PART TOWN FUND	275-280	1,424.07
TRUST AND AGENCY FUND	866-873	1,628.37
CAPITAL FUND	357-361	125,206.94
F.R.S. FUND	533-551	14,583.98
H.U.D.-C.D.B.G. FUND	251-253	246.80
		$427,860.40

Upon Roll Call.....

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 39 Building Permits.
Received and Filed.

Item No. 40 Highway Department: Letter regarding stop sign on southeast corner of Como Park Boulevard and Center Road.
Received and Filed.

Item No. 41 Letter from Senior Citizens Van Driver regarding request for Full-time position.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 42 New York State Department of Transportation: Letter regarding permit for Fire-Pre-emption signal at Walden and Pine Ridge Road.
Received and Filed.

Item No. 43 Petition from residents of French Road - Towers Blvd. area regarding rezoning of 636 French Road.
Received and Filed.

Item No. 44 Letter from Robert W. Hysert, Atty., re: Town zoning ordinance relating to Kennels.
Received and Filed.

Item No. 46 — Notice of Claim: Grace Barone vs. Town of Cheektowaga Received and Filed.

Item No. 47 — Notice of Claim: Philip B. Smith vs. Town of Cheektowaga Received and Filed.

V. FROM THE TABLE

Item No. 48 — Withdrawal of application for 34 acre parcel re: Nob Hill Park Site.

THIS ITEM WAS ACTED UPON IMMEDIATELY AFTER ITEM NUMBER 35 WAS APPROVED.

Motion by Councilman Swiatek, seconded by Supervisor Meyers

WHEREAS, the Town of Cheektowaga has received a grant from the Bureau of Outdoor Recreation for the acquisition of 34 acres of property known as Nob-Hill Park Site, AND

WHEREAS, it has come to the attention of the Cheektowaga Town Board that the cost of developing the entire 34 acres will be exorbitant due to the terrain of part of the park site, AND

WHEREAS, it is the intent of the Cheektowaga Town Board to acquire and immediately develop 10-15 acres of the 34 acre parcel, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga withdraw its application for the entire 34 acre parcel and that a copy of this resolution be forwarded to the New York State Parks and Recreation Department.

Upon Roll Call.....

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

* * * * * * * * * * * * *

Motion by Councilman Burst, seconded by Councilman Swiatek to Waive 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. 49 — Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the Erie County Department of Public Works, Division of Highways, recently conducted a public informational meeting concerning the re-construction of Losson Road, a County Highway, AND

WHEREAS, said planned reconstruction had been the subject of an opposing petition of affected property owners and residents in the Town of Cheek-towaga, AND

Item No. 49 Cont'd.

WHEREAS, no public hearings were conducted by Erie County during the pre-design or design phases of the Losson Road reconstruction project, AND

WHEREAS, the petitioners remain opposed to the design width of the new highway, AND

WHEREAS, it inures to the public benefit that advance hearings be conducted for any Erie County public works project to secure testimony and effect an economic and environmental assessment, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature is hereby memorialized to establish an environmental review policy governing all proposed highway construction projects, which policy guarantees public input through the hearing process, AND BE IT

FURTHER RESOLVED that such hearings should be held prior to the final design phase and in the community in which the project is being undertaken, AND BE IT

FURTHER RESOLVED that certified copies of this resolution be delivered to the Clerk of the Legislature and Legislators Richard Slisz, William Pauly, Mary Lou Rath, Stanley Zagora, William Stachowski and Richard Anderson, who represent portions 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. 50 Motion by Councilman Wegner, seconded by Supervisor Meyers

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

WHEREAS, Lieutenant William Towery appears first on the certified Erie County Civil Service list, NOW, THEREFORE, BE IT

RESOLVED that Lieutenant William Towery be and hereby is appointed to the position of Police Captain, effective immediately, at a salary in accordance with the Bargaining Agreement between the Town of Cheektowaga and the Captains and Lieutenants Association.

Upon Roll Call.....

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

Item No. 51 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Mr. Robert Rieck, an employee of the Highway Department, has requested a fifteen (15) day sick leave extension due to illness, AND

WHEREAS, Mr. Rieck has exhausted all accrued sick leave, vacation and personal leave benefits, NOW, THEREFORE, BE IT

RESOLVED that Robert Rieck be and hereby is granted an extended sick leave of absence not to exceed fifteen (15) days, effective immediately, subject to the provisions of the Collective Bargaining Agreement between the Town

Item No. 51 Cont'd.

of Cheektowaga and the Cheektowaga Employees' Association.

Upon Roll Call.....

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

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

WHEREAS, residents of the southwest section of the Town have complained of extensive, recurring street floodings; AND

WHEREAS, the Town Board, through a bidding procedure, awarded a contract for storm sewer cleaning; AND

WHEREAS, it is the desire of this Town Board to alleviate the flooding problems with the immediate relief action to include the clearing of storm sewers, NOW, THEREFORE, BE IT

RESOLVED that the Highway Department is requested to initiate an immediate program to clean out all catch basins in said southwest sector of Town, AND, BE IT

FURTHER RESOLVED that the sum of $10,000 is appropriated for the contracting of storm sewer cleaning with said funds to come out of the General Fund Contingent A-1990-480.

- -

Motion by Councilman Johnson, seconded by Councilman Burst to amend the above resolution by changing the following paragraphs to read as follows:

PARAGRAPH 2 - "WHEREAS, the Town Board, through a bidding procedure, awarded a contract for storm sewer cleaning to Superior Pipe Cleaning, AND"

and

PARAGRAPH 5 - "FURTHER RESOLVED that under the supervision and administration of the Town Engineer, the sum of $10,000 is appropriated for the contracting of storm sewer cleaning with said funds to come out of the General Fund Contingent A-1990-480."

and the vote on the amendment was as follows:

Upon Roll Call.....

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

- -

"AMENDED RESOLUTION"

Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, residents of the southwest section of the Town have complained of extensive, recurring street floodings; AND

WHEREAS, the Town Board, through a bidding procedure, awarded a contract for storm sewer cleaning to Superior Pipe Cleaning, AND

Item No. 52 Cont'd.

WHEREAS, it is the desire of this Town Board to alleviate the flooding problems with the immediate relief action to include the clearing of storm sewers, NOW, THEREFORE, BE IT

RESOLVED that the Highway Department is requested to initiate an immediate program to clean out all catch basins in said southwest sector of Town, AND, BE IT

FURTHER RESOLVED that under the supervision and administration of the Town Engineer, the sum of $10,000 is appropriated for the contracting of storm sewer cleaning with said funds to come out of the General Fund Contingent A-1990-480.

Upon Roll Call.....

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

Item No. 53 Motion by Supervisor Meyers, seconded by Councilman Swiatek

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that Joan Spaulding of Cheektowaga, New York 14225, Social Security Number is hereby hired and assigned to the Erie County Industrial Development Agency, as a Clerk-Typist at a salary of $150.00 per week, AND, BE IT

FURTHER RESOLVED that she will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Upon Roll Call.....

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

Item No. 54 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, this Town Board engaged the services of David J. Thielman, Consulting Engineer, to make a study of Dick Road traffic, which study has been completed, NOW, THEREFORE, BE IT

RESOLVED, that the recommendations for improvements of the George Urban Boulevard and the North Creek Drive intersections, as recommended in the report of the consulting engineer, be accepted, AND, BE IT FURTHER

RESOLVED, that the Erie County Department of Highways is memorialized to accept the recommendations of the report and approve all necessary permits for the implementation of said recommendations.

* See Next Two (2) Pages for study of Dick Road Traffic.

No. 22A
No. 23
No. 24
No. 25

DICK ROAD

SUMMARY - MAJOR INTERSECTIONS

George Urban Blvd.

Comments:

1. Busiest intersection for which the Town is responsible to maintain.
2. Active pedestrian crossing for Church, school, playground and other activities.
3. Dick Road volumes exceed 25,000 V.P.D.
4. Present operation 3 phase F.T.A. signal
5. Current Level of Service (LOS)
   AM Peak LOS C
   PM Peak LOS E

Recommendations:

1. Left turn phases for George Urban Blvd.
2. Pedestrian Indications
3. Level of Service after improvements
   AM Peak LOS C
   PM Peak LOS C+
4. Interconnect with Wegmans-Bells signal.

North Creek Drive

Comments:

1. Offset intersection
2. Adequate sight distance
3. Continuous flow warrant met
   avg. delay 18 seconds East approach
   14 seconds West approach
4. Some problems observed, main cause was offset inter section.
5. Some occasional lengthy delays.
6. Financial and acquisition problems prevent realigment of the intersection.

Recommendation:

1. Install a Semi-Vehicle Traffic Accuated Traffic Signal.

No. 22A

SUMMARY LIST - OTHER RECOMMENDATIONS

1. Pavement markings should be installed at all intersections and side roads. These include stop bars, pedestrian cross walks, and lane marking up to 500 feet back from Dick Road.
2. Deteriorated no standing signs and all other warning and regulatory signs in poor condition along Dick Road should be replaced.
3. Pavement markings along Dick Road including the lane markings, the center median marking and the railroad pavement markings should be replaced to give a better system of traffic control in these areas.
4. Federal and State Funding is available for the above referenced improvements, and grant applications should be submitted to take advantage of these programs.

Respectfully submitted,

David J. Thielman, P.E.
August, 1980



Item No. 54 Cont'd.

Upon Roll Call.....

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

Item No. 55 Motion by Councilman Swiatek, seconded by Councilman Wegner to adjourn the meeting in memory of Don Schmidt, an employee of the Cheektowaga Sanitation Department.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 22A

CHEEKTOWAGA, NEW YORK
September 11, 1980

Item No. 1 At a Special Meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 11th day of September, 1980 at 3:00 o'clock P.M., Eastern Daylight Saving 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

EXCUSED: Councilman Frank E. Swiatek

ABSENT: 0

Also present were: Mary F.Holtz, Deputy Town Clerk; James J. Kirisits, Town Attorney; Stuart Alexander, Town Consultant.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, the 93rd session of the Congress of the United States has passed, and the President of the United States has signed into law the Housing and Community Development Act of 1977 (P.L. 95-128), AND

WHEREAS, the primary purpose of the Housing and Community Development Act of 1974, as amended, is to develop better communities in the United States, AND

WHEREAS, the Town of Cheektowaga desires to cooperate with the Villages of Sloan, Depew and Williamsville in applying for and utilizing a maximum share of any funds available under said Housing and Community Development Acts, AND

WHEREAS, said Villages desire to undertake essential community development and housing assistance activities, as defined in said Act, AND

WHEREAS, the Town of Cheektowaga has been designated as a "Metro City" by the United States Department of Housing and Urban Development and is thereby eligible for a formula share of program funds, provided said Town enters into a cooperation agreement with the included units of general local government, AND

WHEREAS, the Town of Cheektowaga Town Board, by this Resolution dated September 11, 1980, will authorize the Town Supervisor to enter into such cooperative agreements, AND

WHEREAS, the included Villages are authorizing their Mayors to enter into cooperative agreements with the Town of Cheektowaga by Resolutions dated no later than September 15, 1980 so as to receive funds available by the application of the Town of Cheektowaga under the Housing and Community Development Act of 1974, as amended, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga is hereby authorized to sign the attached Cooperation Agreements with the Villages of Sloan, Depew and Williamsville on behalf of the Cheektowaga Town Board.

* See next pages for Cooperation Agreement

COOPERATION AGREEMENT
PURSUANT TO THE HOUSING
AND COMMUNITY DEVELOPMENT
ACT OF 1974, AS AMENDED

THIS AGREEMENT made this 13th day of September , 1980 by and between the Town of Cheektowaga and the Village of Depew both being municipal corporations of the State of New York.

W I T N E S S E T H :

WHEREAS, the 93rd session of the Congress of the United States has passed, and the President of the United States has signed into law, the Housing and Community Development Act of 1974, which has been amended by the Housing and Community Development Act of 1977 (Public Law 95-128), and

WHEREAS, the primary purpose of the Housing and Community Development Act of 1974, as amended, is to develop better communities in the United States, and

WHEREAS, The Town of Cheektowaga desires to cooperate with the Village of Depew in applying for and utilizing a maximum share of any funds available under said Housing and Community Development Acts, and

WHEREAS, the Village of Depew desires to undertake essential community development and housing assistance activities, as defined in said Act, and

WHEREAS, the Town of Cheektowaga has been designated as

No. 23

a "Metro City" by the United States Department of Housing and Urban Development and is thereby eligible for a formula share of program funds, provided said Town enters into a cooperation agreement with the included unit of general local government, and

WHEREAS, the Town of Cheektowaga Town Board, by Resolution dated September 11, 1980 , has authorized the Town Supervisor to enter into such cooperative agreement, and

WHEREAS, the Board of Trustees of the Village of Depew has authorized its mayor to enter into a cooperative agreement with the Town of Cheektowaga by Resolution dated so as to receive funds available by the application of the Town of Cheektowaga under the Housing and Community Development Act of 1974, as amended.

NOW, THEREFORE, the Town of Cheektowaga, hereinafter called "Town", and the Village of Depew , hereinafter called the "Village", hereby agree as follows:

1. The Town and the Village, shall cooperate in undertaking, or assisting in the undertaking of essential community development and housing assistance activities specifically urban renewal and publicly assisted housing as defined in the Housing and Community Development Act of 1974, as amended, and implementing regulations of said Act, each within the scope of its powers under New York State Law.

2. The Town shall, as applicant, accept from the Village

No. 23

funding requests for specific community development and/or housing assistance activities which are consistent with the housing and community development needs of the entire Metro City. Maximum feasible priority should be given to activities that benefit low and moderate-income families or aid in the prevention or elimination of slums or blight. The Town shall apply to the Department of Housing and Urban Development (hereinafter referred to as the "Department") for community development block grants to fund such requests and other Metro City activities, including the Town's reasonable costs for administration of the Town of Cheektowaga "Metro City" community development program provided herein. Further, the Town will provide administrative and technical assistance to the Village of Depew as noted in attachment No. 1 to this agreement. If said application is approved, the Town shall make available to the Village community development block grant funds for the abovesaid specific community development and/or housing assistance activities, provided, however, that a different distribution shall be made after receipt of advice or a determination by the Department or other duly authorized body that a different distribution is necessary to comply with the requirements of the Housing and Community Development Act of 1974, as amended.

3. The Town shall, in cooperation with the Village develop a community development program and housing assistance goals for the Town's community development block grant applications for the 1981, 1982 and 1983 program years. The Village shall supply any available plans or data necessary to develop community

development and housing assistance goals. The Village shall take such actions as are necessary to implement and accomplish said community development program and housing assistance goals, including but not limited to affirmative action with regard to fair housing and employment and business opportunities for minorities and women.

4. The Village of Depew will receive a sum of dollars from Town of Cheektowaga commensurate to that sum of dollars described in clause #7 of the Memorandum of Understanding entitled Financial Committment; due from the Town of Cheektowaga, 1981 if the Metro City Community Development Block Grant Application is denied by the U.S. Department of Housing and Urban Development for reasons of improper filing, or inconsistency with the U.S. Department of Housing and Urban Development C.D.B.G. rules and regulations pursuant to application content and procedures, or if the Department of Housing and Urban Development determines fund distributions to be targeted for specific projects entirely outside the Village borders, and that any balance that would otherwise have been entitled to the Village of Depew will be immediately surrendered to the Village of Depew from Town resources, and the Town of Cheektowaga hereby guarantees payment of any sums denied to the Village of Depew due to any inelligibility and shall make provisions in their annual budget for this contingency.

5. The Town and the Village shall cooperate in the preparation of any forms and applications required by the United States Department of Housing and Urban Development for funding under the Housing and Community Development Act, as

amended, and shall sign such forms and applications as mandated by that Department.

6. The term of this Agreement shall be for the program years covered by the Town's community development block grant applications for the 1981, 1982 and 1983 Program Years.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date and year first above written.

TOWN OF CHEEKTOWAGA

By Kenneth J. Meyer
Supervisor

By Reginald Pakowski
Mayor

THIS COOPERATION AGREEMENT IS APPROVED AS TO FORM. I DO CERTIFY THAT THE TERMS AND PROVISIONS OF THIS COOPERATION AGREEMENT ARE FULLY AUTHORIZED UNDER STATE AND LOCAL LAW.

/s/ Irene T. Kwiatek
Town of Cheektowaga
Town Attorney

No. 23

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
TOWN OF CHEEKTOWAGA)

On the 11th day of September in the year Nineteen Hundred and Eighty before me personally came Kenneth J. Meyers to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Cheektowaga; that he is the Supervisor of the Town of Cheektowaga, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Town Board of Town of Cheektowaga and that he signed his name thereto by like order.

Jean A. Rosenberry

JEAN A. ROSENBERRY
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19[illegible]

STATE OF NEW YORK)
COUNTY OF ERIE)
VILLAGE OF) SS:

On the 13th day of September in the year Nineteen Hundred and Eighty before me personally came Roger D. Kalinzak to me known, who, being by me duly sworn, did depose and say that he resides in the Village of ; that he is the Mayor of the Village of , the corporation described in which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Trustees of the Village of Depew and that he signed his name thereto by like order.

Marion E. Zimmer

[illegible]
Notary Public, State of New York
Qualified in Erie County
My Commission Expires [illegible]

No. 23

No. 24

No. 25

ATTACHMENT #1

TECHNICAL AND ADMINISTRATIVE SERVICES TO THE VILLAGE OF DEPEW BY THE TOWN OF CHEEKTOWAGA

1. The Town will provide technical planning, design and programming service to the Village for the following:

   a) Preparation of community/neighborhood revitalization plans, programs and designs for currently designated target areas and future potential improvement areas;

   b) Assist the Village in up-dating, amending codes and ordinances relevant to community development activity, such as: zoning ordinance, environmental reviews, housing code, subdivision ordinance, etc;

   c) Preparation of a Village-wide needs assessment for:
   -housing
   -community improvements
   -community facilities (i.e. community centers, recreation facilities, etc.)

   d) Assistance in the preparation and determination of project funding levels for C.D.B.G. projects as necessary for submission to H.U.D.

2. The Town of Cheektowaga will maintain responsibility for the C.D.B.G. application and responsibility for the submission of various necessary documents to H.U.D. for receipt of C.D.B.G. funds including but not limited to the following:

   a.) C.D.B.G. Application
   b.) Housing Assistance Plan (H.A.P.)
   c.) Preparation of Village-wide needs assessment
   d.) Preparation of Annual Performance Report
   e.) Preparation of a Citizens Participation Plan
   f.) Preparation of Program Amendments
   g.) Preparation of monitoring report comments
   h.) Environmental Impact Assessments
   i.) Advertisements for "request of release of funds"
   j.) Documentation of socio-economic profile as necessary and appropriate for C.D.B.G. funding and project programming.

3. a.) The Town will make available to the Village technical planning personnel to assist the Village in conducting public hearings and meetings for the Application, Performance Report, as well as periodic community meetings to apprise Village residents of program progress.

   b.) The Town will provide technical assistance for the preparation of reports and display graphics for community presentations.

4. The Village of Depew is invited and encouraged to participate in the Town's loan/grant program; loans are available to eligible low-moderate income persons at 4 1/2%, $1,500 grants are available to eligible elderly persons, interest free.

5. The Town will provide for housing inspection services to assist the Village as necessary and appropriate to secure rehabilitation loans or grants.

6. a.) The Town will provide administrative assistance to the Village on an as needed basis for carrying out their C.D.B.G. program.

   b.) The Town's technical planning services will be available - on call - to the Village to supplement current planning personnel of the Village.

The above-noted administrative and technical services and programs will be available to the Village at no cost to the Village.

No. 23

TRUSTEES
HENRY WIENCKOWSKI
Deputy Mayor
STANLEY J. WOJCIK
JOAN M. PRIEBE
LILLIAN ANSEL
Village Clerk
PHONE: (716) 683-1400



TRUSTEES
FRED GRZYB
DONALD E. SNIOS
CHARLES C. PEMPSELL

85 MANITOU STREET
MUNICIPAL BUILDING
DEPEW, NEW YORK 14043

Roger D. Paluszak, Mayor

MEMORANDUM OF UNDERSTANDING
CHEEKTOWAGA METROPOLITAN CITY DESIGNATION
1981

The following shall constitute elements of a Memorandum of Understanding by and between the Town of Cheektowaga and the Village of Depew as part of the agreement to cooperatively administer the Housing and Community Development Program as the Cheektowaga Metropolitan City. This memorandum will be reviewed by the Town and Village prior to the commencement of each annual application for funds.

1. The Town of Cheektowaga, as the Metropolitan City designee, will administer and assume the costs associated with the Housing and Community Development Program. Administrative costs for the program year 1981-82 (attached) are estimates and are subject to revision based on demonstrated need. Administrative and rehabilitation program costs will be reviewed annually.

2. All funds will be administered as part of the Cheektowaga Metropolitan City Community Development fund by the Town. Community Development projects carried out in the Village of Depew will be approved by the Village for payment and vouchers/invoices will be sent to the Town Comptroller for payment.

3. Special studies to be carried out to provide documentation for the Housing and Community Development program will be conducted and funded by the Town or Village using its allocated H/CD program funds. All studies will be discussed for coordination between the two municipalities prior to consultant selection.

4. Prior to the prepration of the annual application, the Town and Village will affirm their commitment for the succeeding year's Community Development program or, in the event the Town and Village mutually determine that the Metropolitan City designation is not in their best interest, the Town of Cheektowaga shall apply to HUD for permission

to cancel this agreement as to succeding program years.

5. In summary, it should be noted that the technical and administrative services to be provided by the Town of the Village would be available throughout the Village; the funds received by the Village from the Town would be available to be spent throughout the Village; programs currently offered to the Village by the County would continue to be available to that portion of the Village that exists in the County program.

6. Further, it is the intent of the Town to ensure that the sovereignty, self-determination and autonomy of the Village of Depew remains uncompromised. Therefore, the determination of programs and needs will be at the discretion of the Village with no interference from the Town with the exception of technical and administrative assistance available upon request from the Village.

7. The Town of Cheektowaga will make available to the Village of Depew the following dollar amounts for assignment to eligible C.D.B.G. programs subject to the following funding availablity.

Funds to be received from H.U.D.- Town of Cheektowaga by the Village of Depew.

$136,130

8. Prior to the preparation of the annual application, the Town and Village will affirm their commitment for the succeeding year's Community Development Program, or, in the event the Town and Village mutually determine that the Metropolitan City designation is not in their best interest, the Town of Cheektowaga shall apply to HUD for permission to cancel this Agreement as to succeeding program years.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date and year first above written.

TOWN OF CHEEKTOWAGA

By Kenneth J Meyer

VILLAGE OF DEPEW

By Lyle D Palaszak

Item No. 2 Cont'd.

Upon Roll Call.....

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

Item No. 3 Motion by Supervisor Meyers, seconded by Councilman Wegner to adjourn the meeting.

MARY F. HOLTZ
Deputy Town Clerk

No. 23

MEETING NO. 23

CHEEKTOWAGA, NEW YORK
September 15, 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 15th day of September, 1980 at 7:00 o'clock P.M., Eastern Daylight Saving Time, there were:

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

ABSENT: Councilman Frank E. Swiatek

Also present were: Richard M. Moleski, Town Clerk; Mary F. Holtz, Deputy Town Clerk; James Kirisits, Town Attorney; John Malloy, C.P.A., Sal LaGreca, Assistant Manpower Program Director I; Julia Reinstein, Town Historian; Michael Miecznikowski, Temporary Director of Recreation; Chester Bryan, Town Engineer; George Burst, Working Foreman in the Central Garage; Chief of Police, T. DeFedericis; Alfred Wnek, Superintendent of Highways; Ron Marten, Building and Plumbing Inspector; Dr. Louis Vendetti, Town Health Officer; Ken Kopacz, Executive Director of the Youth Bureau.

I. BIDS

Item No. 2 Highway - Seasonal Requirements (Cinders, Rock salt, calcium, snow fence, 6 foot tee posts and tie wires)
Referred to Alfred Wnek, Highway Superintendent

II. PUBLIC HEARINGS

Item No. 3 This being the time and place advertised for a public hearing to consider the recommendations of the Planning Board to rezone from their present zoning district classifications of CM-General Commercial District to RC-Restricted Business the following properties:

The west side of Union Road beginning south of the existing gas station at 3535 Genesee Street on the southwest corner of Union Road at Genesee Street going south on Union Road to the existing R-Residential District located at 4074 Union Road; and as shown on the attached map of the area and being more particularly described as follows:

Tax Account No.	Owner	Address
24-600	Edward Krysztof & wife	Union Road
24-602	Dick O'Connor	4118 Union Road
24-603	Camille A. Colvin	4114 Union Road
24-161	Carlton Fath & wife	4110 Union Road
24-160	Wanda T. Fath	4106 Union Road
24-159	Peter J. Privitera & wife	4104 Union Road
24-158	Peter J. Privitera & wife	4100 Union Road
24-157	Ronald A. Bress & wife	4095 Union Road
24-139	4118 Union Road Corp.	4084 Union Road
24-137	Hattie Lederhouse	4080 Union Road
24-135	Francis R. Santillo & wife	4074 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.

Item No. 3 cont'd

The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

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

Item No. 4 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

Section 102 is amended by deleting therefrom the following:

A. No parking this side or one side parking

LOCHLAND DRIVE	East side	from the north curbline of HUTH ROAD to the south curbline of CLEVELAND DRIVE
PEACHROW LANE	East side & South side	from the north curbline of GARDENVALE ROAD to west curbline of HEATHER ROAD

Section 102 is amended by adding thereto the following:

A. No parking this side or one side parking

LOCHLAND DRIVE	West side	from the north curbline of HUTH ROAD to the south curbline of CLEVELAND DRIVE
PEACHROW LANE	West side & North side	from the north curbline of GARDENVALE ROAD to the west curbline of HEATHER ROAD

* *

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

III. RESOLUTIONS

Item No. 5 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, Gerald Peinkofer has applied for a rezoning from R-Residential District to CM-General Commercial District on property located at 208 Como Park Boulevard, 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 ten (10), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey bounded and described as follows:

No. 24 No. 25

Beginning in the northerly boundary of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at the southwest corner of lands conveyed to Alois Peinkofer and wife by deed recorded in Liber 1255 of Deeds at page 294; thence easterly along the north line of said Boulevard thirty-six and one-half (36½) feet; thence northerly parallel with the west line of lands so conveyed to Peinkofer and wife one hundred fifty (150) feet; thence westerly parallel with the Boulevard thirty-six and one-half (36½) feet to the west line of lands conveyed to said Peinkofer and wife; thence southerly along said last mentioned line one hundred fifty (150) feet to the place of beginning.

AND ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning in the northerly line of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at a point in the said northerly line where the easterly line of Michael Sauter's land conveyed by deed recorded in Erie County Clerk's Office in Liber 315 of Deeds page 546 intersects said point of intersection being marked by a stake; thence northerly and along said Sauter's east line by deed as aforesaid; nine (9) chains and seventy four (74) links to the intersection with said Sauter's northerly line by deed as aforesaid which point is marked by an iron pipe; thence westerly along said Sauter's northerly line by deed as aforesaid one (1) chain and three (3) links; thence southerly and parallel with said first described line nine (9) chains and seventy-four (74) links to a stake in the northerly line of the Boulevard and thence easterly one (1) chain and three (3) links to the point of beginning, being one (1) acre of land.

AND ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 10. Township 11, Range 7 of the Holland Land Company's Survey described as follows:

Beginning in the northerly boundary of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at a point in the said northerly line of said Boulevard one (1) chain and three (3) links westerly from its intersection with the easterly line of land formerly owned by Michael Sauter deceased, by deed as aforesaid; thence northerly parallel with the said easterly line of said Sauter's lands by deed as aforesaid nine (1) chains and seventy-four (74) links; thence westerly on a line parallel with said Boulevard line one (1) chain and three (3) links; thence southerly on a line parallel with the said firstmentioned boundary nine (9) chains and seventy-four (74) links to the said Boulevard line and thence easterly along said Boulevard line one (1) chain and three (3) links to the place of beginning, containing one (1) acre of land;

EXCEPTING THEREFROM lands conveyed to Joseph Peinkofer and Mary Peinkofer his wife by deed recorded on January 31st, 1923, in the Erie County Clerk's Office in Buffalo, New York in Liber 1626 of Deeds at page 631

AND ALSO, lands conveyed to Edwin T. Peinkofer and Linda A. Peinkofer, his wife by deed recorded on June 16, 1964, in the Erie County Clekr's Office at Buffalo, New York, in Liber 7007 of Deeds at page 407,

Item No. 5 cont'd

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 3rd day of September, 1980 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 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, the Cheektowaga Planning Board has recommended approval of this rezoning because it will be an extension of the existing CM-General Commercial District and it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, NOW, THEREFORE, BE IT

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

RESOLVED that the above described premises be and hereby are rezoned from 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: 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. Deshetz of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is ..... Clerk ..... of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for ..... 1 ..... weeks; first publication September 18, 1980; last publication September 18, 1980; and that no more than six days intervened between publications.

Gladys M. Deshetz

Sworn to before me this 19th

day of September, 1980

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

NO. 24

NO. 25

Legal Notice

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of September, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Thomas M. Johnson, Jr.
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ABSENT:
Councilman Frank E. Swiatek

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, Gerald Peinkofer has applied for a rezoning from R-Residential District to CM-General Commercial District on property located at 208 Como Park Boulevard, 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 ten (10), Township Eleven (11), Range Seven (7) of the Holland Land Company's Survey bounded and described as follows:

Beginning in the northerly boundary of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at the southwest corner of lands conveyed to Alois Peinkofer and wife by deed recorded in Liber 1255 of Deeds at page 294; thence easterly along the north line of said Boulevard thirty-six and one-half (36 1/2) feet; thence northerly parallel with the west line of lands so conveyed to Peinkofer and wife one hundred fifty (150) feet; thence westerly parallel with the Boulevard thirty-six and one-half (36 1/2) feet to the west line of lands conveyed to said Peinkofer and wife; thence southerly along said last mentioned line one hundred fifty (150) feet to the place of beginning.

AND ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning in the northerly line of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at a point in the said northerly line where the easterly line of Michael Sauter's land conveyed by deed recorded in Erie County Clerk's Office in Liber 315 of Deeds page 546 intersects said point of intersection being marked by a stake; thence northerly and along said Sauter's east line by deed as aforesaid, nine (9) chains and seventy four (74) links to the intersection with said Sauter's northerly line by deed as aforesaid which point is marked by an iron pipe; thence westerly along said Sauter's northerly line by deed as aforesaid one (1) chain three (3) links; thence southerly and parallel with said first described line nine (9) chains and seventy-four (74) links to a stake in the northerly line of the Boulevard and thence easterly one (1) chain and three (3) links to the point of beginning, being one (1) acre of land.

AND ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey described as follows:

Beginning in the northerly line of the Boulevard extending easterly from the Union Road to Bellevue and occupied by the line of the International Railway Company at the southwest corner of lands conveyed to Michael Sauter by deed recorded in Erie County Clerk's Office in Liber 315 of Deeds page 546; thence northerly and along said Sauter's west line by deed as aforesaid, nine (9) chains and seventy-four (74) links to the intersection with said Sauter's northerly line by deed as aforesaid which point is marked by an iron pipe; thence westerly along said Sauter's northerly line by deed as aforesaid one (1) chain three (3) links; thence southerly and parallel with said first described line nine (9) chains and seventy-four (74) links to a stake in the northerly line of the Boulevard and thence easterly one (1) chain and three (3) links to the point of beginning, containing one (1) acre of land;

EXCEPTING THEREFROM lands conveyed to Joseph Peinkofer and Mary Peinkofer his wife by deed recorded on January 31st, 1923, in the Erie County Clerk's Office in Buffalo, New York in Liber 1626 of Deeds at page 631

AND ALSO, lands conveyed to Edwin T. Peinkofer and Linda A. Peinkofer, his wife by deed recorded on June 16, 1964, in the Erie County Clerk's Office at Buffalo, New York, in Liber 7007 of Deeds at page 407,

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 3rd day of September, 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, the Cheektowaga Planning Board has recommended approval of this rezoning because it will be an extension of the existing CM-General Commercial District and it appears that the proposed rezoning would not interfere with the use and enjoyment of the surrounding area by the owners or occupants thereof, now, therefore, BE IT

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

RESOLVED that the above described premises be and hereby are rezoned from 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 AYE
Councilman:
Swiatek Voting ABSENT
Johnson Voting AYE
Dux Voting AYE
Burst Voting AYE
Wegner Voting AYE
Rogowski Voting AYE

AYES: 6
NAYES: 0
ABSENT: 1

STATE OF NEW YORK)
COUNTY OF ERIE)

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

1. A regular meeting of the Town Board of the Town of Cheektowaga, a town located in the County of Erie, State of New York, was duly held on September 15, 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

meeting was held and the members of said Board who attended such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 15th day of September, 1980.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 18, 1980

Item No. 6 Decision on Rezoning and Special Permit - 2804 Union Road
The application was withdrawn by the applicant on September 15, 1980.

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

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinances and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 3rd eay of September, 1980 at 7:00 P.M.; and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

* See next five (5) pages

AMENDMENTS TO

ZONING ORDINANCE

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, §4-11 A., which relates to the principal permitted uses in a M-2, General Manufacturing District, shall be amended by the enactment of a new subdivision 9. thereunder as follows:

9. Adult uses.

RESOLVED THAT THE ZONING ORDINANCE OF THE TOWN OF CHEEKTOWAGA, NEW YORK is amended as follows:

Adult Uses

Purpose

It is recognized that buildings and establishments operated as adult uses, have serious objectional operational characteristics. In order to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, this Amendment is intended to restrict adult uses to non-residential, non-business, and non-commercial areas of the Town of Cheektowaga and otherwise regulate their operation. Moreover, in light of the fact that the operational characteristics of adult uses increase the detrimental impact on a community when such uses are concentrated, this Amendment is intended to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, by regulating the concentration of such uses.

Definitions

As used in the Amendment, the following terms shall have the meanings indicated:

a) ADULT BOOKSTORE - an establishment or business whether retail or wholesale, having as a substantial or significant portion of its stock-in-trade, books, magazines and other periodicals, films and viewing materials for sale or viewing on premises, by use of motion picture devices or any coin operated means, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment or business containing a segment or section devoted to the sale or display of such material.

b) ADULT MOTION-PICTURE THEATER - an enclosed or unenclosed building or structure or portion of a building or structure used for presenting materials having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

c) ADULT USE - any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas including but not limited to adult bookstores and adult motion picture theaters.

d) PERSON - any person, firm, partnership, corporation, association, or legal representative, acting individually or jointly.

e) BUSINESS - any commercial enterprise, association, or arrangement for profit.

f) SUBSTANTIAL CONNECTION -

1) in a sole proprietorship, an individual who owns, operates, controls or conducts, directly or indirectly, any premises, building, or location upon which any adult use takes place.

2) In a partnership, limited or general, an individual who shares in any potential profits or losses of the business or who shares in the ownership of any of the assets of the partnership business;

3) In a corporation, an individual who is an officer, director, or a holder, either directly, indirectly or beneficially, of more than twenty (20) percent of any class of stock;

4) Any person who furnishes more than twenty (20) percent of the capital financing or assets of such business, whether in cash, goods or services.

g) DISSEMINATION - the transfer of possession, custody, control or ownerhsip of, or the exhibition or presentation of any performance, to a customer, member of the public or business invitee, of any material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

h) SPECIFIED ANATOMICAL AREAS -

1) Less than the completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola.

2) Human male genitals in a discernibly turgid state even if completely and opaquely covered.

i) SPECIFIED SEXUAL ACTIVITIES -

1) Human genitals in a state of sexual stimulation or arousal.

2) Acts of human masturbation, sexual intercourse or sodomy.

3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Restrictions Affecting Adult Uses

In addition to the requirements of the Zoning Ordinance and the Code of the Town of Cheektowaga adult uses shall be permitted subject to the following restrictions:

a) No adult use shall be allowed within five hundred (500) feet of another existing adult use.

b) No adult use shall be located within five hundred (500) feet of the boundaries of any zoning district which is zoned for residential use.

c) No adult use shall be located within five hundred (500) feet of a pre-existing school or place of worship.

d) No adult use shall be located in any zoning district except those districts zoned for general manufacturing use (M-2).

Registration

a) No person, firm, corporation or other entity shall lease, rent, maintain, operate, use or allow to be operated or used any business or establishment, any part of which contains an adult use, without first complying with the provisions of this section as set forth below.

b) In addition to any and all other necessary licenses and permits, no form of adult use shall be allowed to operate, or allowed to continue to operate, until a certificate of registration is filed with the Clerk of the Town of Cheektowaga containing:

1) The address of the premises;

2) The name and address of the owner(s) of the premises and the name and address of the beneficial owner(s) if the property is in a land trust.

3) The name of the business or the establishment subject to the provisions of this article.

4) The name, business and home address, business or home phone numbers of all owners of the business or establishment subject to the provisions of this Amendment.

5) The names, business and home addresses, business or home phone numbers of all those persons having a substantial connection with the business or establishment subject to the provisions of this Amendment;

6) The date of the initiation of the adult use.

7) The exact nature of the adult use.

8) If the premises or the building in which the business containing the adult use is located, is leased, a copy of the lease.

c) If there occurs any change in the information required for the certificate of registration, the Clerk of the Town of Cheektowaga shall be notified of such change and a new or amended certificate filed within thirty (30) days of such change.

d) The processing fee for each such certificate of registration or amendment thereto shall be $50.00.

e) No certificate of registration issued under the provisions of this section shall be transferable to any person other than the registrant, nor shall a certificate of registration be transferable for use at any premises, building or location other than stated in the certificate of registration.

f) The owner, manager or agent of any adult use shall cause a copy of the certificate or registration issued under the provisions of this section to be prominantly displayed on the premises, building or location for which it is issued.

g) Any knowingly false statement, or any statement which the registrant or applicant should reasonably have known to be false, which is provided in the certificate of registration or any document or information supplied therewith shall be grounds for rejection, suspension or revocation of the certificate of registration.

h) It is a violation of this Amendment for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an adult use without having in force a certificate of registration complying with this section.

Prohibition Regarding Public Observation.

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window, screen, or other opening.

Amortization

In all districts except as provided in this Amendment, any adult use shall terminate not later than one (1) year after the effective date of this Article, and thereafter, the space or premises or building formerly occupied by such use shall be used only for a conforming use.

When Effective

Upon adoption by the Town Board, this Amendment shall take effect ten (10) days after its publication in accordance with Section 264 of the Town Law, except that this Amendment shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Town Clerk under the corporate seal of the town, showing the date of its passage and entry in the minutes.

and

BE IT FURTHER RESOLVED that subdivision 9 be renumbered as subdivision 10.

Item No. 7 cont'd

BE IT FURTHER RESOLVED that a copy of this Resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on September 15th, 1980; and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and the affidavit of such publication shall be filed with the Town Clerk.

The aforementioned changes to the "Zoning Ordinance of the Town of Cheektowaga, New York" shall take effect ten (10) days after such publication, but said changes shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

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. Deckter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 18, 1980; last publication September 18, 1980; and that no more than six days intervened between publications.

Gladys M. Deckter

Sworn to before me this 19th

day of September, 1980

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

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of September, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:

Supervisor Kenneth J. Meyers

Councilmen:

Thomas M. Johnson, Jr.
Frank J. Dux
James H. Burst
Donald J. Wegner
William P. Rogowski

ABSENT:

Councilman Frank E. Swiatek

Motion by Councilman Wegner, Seconded by Supervisor Meyers

WHEREAS, the Code Review Committee of the town of Cheektowaga has recommended that certain provisions of the "Zoning Ordinance of the Town of Cheektowaga, New York" be amended, and

WHEREAS, this Town Board duly called a public hearing to consider the advisability of adopting said recommended changes to the said Zoning Ordinances and gave due notice thereof as required by law, and

WHEREAS, a public hearing on said proposed amendments was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 3rd day of September, 1980 at 7:00 P.M., and at which hearing all parties in interest and citizens had an opportunity to be heard and were heard, and

WHEREAS, it is in the public interest to amend the "Zoning Ordinance of the Town of Cheektowaga, New York" as set forth below

NOW, THEREFORE BE IT RESOLVED that the "Zoning Ordinance of the Town of Cheektowaga, New York" be and the same hereby is amended and changed as follows:

AMENDMENTS TO ZONING ORDINANCE

RESOLVED THAT ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS, §4-11 A., which relates to the principal permitted uses in a M-2 General Manufacturing District, shall be amended by the enactment of a new subdivision 9 thereunder as follows:

9 Adult uses.

RESOLVED THAT THE ZONING ORDINANCE OF THE TOWN OF CHEEKTOWAGA, NEW YORK is amended as follows:

Adult Uses

Purpose

It is recognized that buildings and establishments operated as adult uses have serious objectional operational characteristics. In order to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, this Amendment is intended to restrict adult uses to non-residential, non-business, and non-commercial areas of the Town of Cheektowaga and otherwise regulate their operation. Moreover, in light of the fact that the operational characteristics of adult uses increase the detrimental impact on a community when such uses are concentrated, this Amendment is intended to promote the health, safety and general welfare of the residents of the Town of Cheektowaga, by regulating the concentration of such uses.

Definitions

As used in the Amendment, the following terms shall have the meanings indicated:

a) ADULT BOOKSTORE — an establishment or business whether retail or wholesale, having as a substantial or significant portion of its stock-in-trade, books, magazines and other periodicals, films and viewing materials for sale or viewing on premises, by use of

THEATER — an enclosed or unenclosed building or structure or portion of a building or structure used for presenting materials having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

c) ADULT USE — any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas including but not limited to adult bookstores and adult motion picture theatres.

d) PERSON — any person, firm, partnership, corporation association, or legal representative, acting individually or jointly.

e) BUSINESS — any commercial enterprise, association, or arrangement for profit.

f) SUBSTANTIAL CONNECTION —

1) in a sole proprietorship, an individual who owns, operates, controls, or conducts, directly or indirectly, any premises, building, or location upon which any adult use takes place.

2) In a partnership, limited or general, an individual who shares in any potential profits or losses of the business or who shares in the ownership of any of the assets of the partnership business;

3) In a corporation, an individual who is an officer, director, or a holder, either directly, indirectly or beneficially, of more than twenty (20) percent of any class of stock.

4) Any person who furnishes more than twenty (20) percent of the capital financing or assets of such business, whether in cash, goods or services.

g) DISSEMINATION — the transfer of possession, custody, control or ownership of, or the exhibition or presentation of any performance, to a customer, member of the public or business invitee, of any material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

h) SPECIFIED ANATOMICAL AREAS —

1) Less than the completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola.

2) Human male genitals in a discernibly turgid state even if completely and opaquely covered.

i) SPECIFIED SEXUAL ACTIVITIES —

1) Human genitals in a state of sexual stimulation or arousal.

2) Acts of human masturbation, sexual intercourse or sodomy.

3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Restrictions Affecting Adult Uses

In addition to the requirements of the Zoning Ordinance and the Code of the Town of Cheektowaga adult uses shall be permitted subject to the following restrictions:

a) No adult use shall be allowed within five hundred (500) feet of another existing adult use.

b) No adult use shall be located within five hundred (500) feet of the boundaries of any zoning district which is zoned for residential use.

c) No adult use shall be located within five hundred (500) feet of a pre-existing school or place of worship.

d) No adult use shall be located in any zoning district except those districts zoned for general manufacturing use (M-2).

Registration

a) No person, firm, corporation or other entity shall lease, rent, maintain, operate, use or allow to be operated or used any business

of the Town of Cheektowaga containing:

1) The address of the premises.

2) The name and address of the owner(s) of the premises and the name and address of the beneficial owner(s) if the property is in a land trust.

3) The name of the business or the establishment subject to the provisions of this article.

4) The name, business and home address, business or home phone numbers of all owners of the business or establishment subject to the provisions of this Amendment.

5) The names, business and home addresses, business or home phone numbers of all those persons having a substantial connection with the business or establishment subject to the provisions of this Amendment.

6) The date of the initiation of the adult use.

7) The exact nature of the adult use.

8) If the premises or the building in which the business containing the adult use is located, is leased, a copy of the lease.

c) If there occurs any change in the information required for the certificate of registration, the Clerk of the Town of Cheektowaga shall be notified of such change and a new or amended certificate filed within thirty (30) days of such change.

d) The processing fee for each such certificate of registration or amendment thereto shall be $50.00.

e) No certificate of registration issued under the provisions of this section shall be transferable to any person other than the registrant, nor shall a certificate of registration be transferable for use at any premises, building or location other than stated in the certificate of registration.

f) The owner, manager or agent of any adult use shall cause a copy of the certificate or registration issued under the provisions of this section to be prominantly displayed on the premises, building or location for which it is issued.

g) Any knowingly false statement, or any statement which the registrant or applicant should reasonably have known to be false, which is provided in the certificate of registration or any document or information supplied therewith shall be grounds for rejection, suspension or revocation of the certificate of registration.

h) It is a violation of this Amendment for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an adult use without having in force a certificate of registration complying with this section.

Prohibition Regarding Public Observation.

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window, screen or other opening.

Amortization

In all districts except as provided in this Amendment, any adult use shall terminate not later than one (1) year after the effective date of this Article, and thereafter, the space or premises or building formerly occupied by such use shall be used only for a conforming use.

When Effective

Upon adoption by the Town Board, this Amendment shall take effect ten (10) days after its publication in accordance with Section 264 of the Town Law, except that this Amendment shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the

Town of Cheektowaga he
September 15, 1980, and t
certified copy thereof be pub
in The CHEEKTOWAGA TIM
newspaper published in the
of Cheektowaga and havi
general circulation therein
the affidavit of such public
shall be filed with the Town

The aforementioned chang
the "Zoning Ordinance of the
of Cheektowaga, New York"
take effect ten (10) days after
publication, but said changes
take effect from the date of
service as against a person s
personally with a copy th
certified by the Town Clerk
the corporate seal of the Tow
showing the date of their pa
and entry into the minutes.

Upon roll call

Supervisor Meyers Voting

Councilmen:

Swiatek	Voting ABS
Johnson	Voting
Dux	Voting
Burst	Voting
Wegner	Voting
Rogowski	Voting

AYES: 6

NAYES: 0

ABSENT: 1

STATE OF NEW YORK)

COUNTY OF ERIE)

I, RICHARD M. MOLE
Town Clerk of the Town he
after described, DO HER
CERTIFY as follows:

1. A regular meeting of the
Board of the Town of Che
waga, a town located in the Co
of Erie, State of New York,
duly held on September 15th,
and minutes of said meeting
been duly recorded in the M
Book by me in accordance wit
for the purpose of recording
minutes of meetings of said Bo
and such minutes appear at
No. 7, inclusive, of said book.

2. I have compared the atta

Item No. 8 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that a certain provision of the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) be amended by deletion; and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting said amendment to said Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 3rd day of September, 1980 at 7:00 P.M., and at which hearing all parties in interest and citizens had an opportunity to be heard, and were heard; and

WHEREAS, it is in the public interest to amend by deleting the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17 as amended) as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) be, and the same hereby is, amended and changed as follows:

AMENDMENT

TO THE

NOISE ORDINANCE (ORDINANCE NO. 17, AS AMENDED)

1. (a) RESOLVED that §45-1 - TYPES OF NOISES PROHIBITED: DEFINITIONS, Subdivision A., (§2 of Ordinance No. 17 of the General Town Ordinances) which reads:

> "A. Subject to the provisions of this chapter, the creation of any unreasonable noise in the Town of Cheektowaga is prohibited. Noise of such character and intensity and duration as to be detrimental to the life or health of any individual in a residential, apartment-hotel or business district, ad defined by the zoning ordinances of said Town is prohibited. Unnecessary noise in any such district during the hours from 12:00 midnight to 7:00 a.m., which unreasonably interferes with the sleep, comfort, and repose of individuals therein, is prohibited."

shall be amended by deleting the works "during the hours from 12:00 midnight to 7:00 a.m.

(b) RESOLVED that §45-2 - TYPES OF NOISMAKING ACTS PROHIBITED, Subdivision D., (Paragraph 1 of Ordinance No. 17 of the General Town Ordinances) which reads:

> "D The playing of any radio, phonotraph or any musical instrument in any place in a residential or apartment-hotel district at any time between 12:00 midnight and 7:00 a.m. in such a manner or with such volume as to annoy or disturb any person thereby."

shall be amended by deleting the works "between 12:00 midnight and 7:00 a.m.:

* *

BE IT FURTHER RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 15th day of September, 1980; that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and

Item No. 8 Motion by Councilman Wegner, seconded by Councilman Johnson

WHEREAS, the Code Review Committee of the Town of Cheektowaga has recommended that a certain provision of the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) be amended by deletion; and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting said amendment to said Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 3rd day of September, 1980 at 7:00 P.M., and at which hearing all parties in interest and citizens had an opportunity to be heard, and were heard; and

WHEREAS, it is in the public interest to amend by deleting the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17 as amended) as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) be, and the same hereby is, amended and changed as follows:

AMENDMENT

TO THE

NOISE ORDINANCE (ORDINANCE NO. 17, AS AMENDED)

1. (a) RESOLVED that §45-1 - TYPES OF NOISES PROHIBITED: DEFINITIONS, Subdivision A., (§2 of Ordinance No. 17 of the General Town Ordinances) which reads:

> "A. Subject to the provisions of this chapter, the creation of any unreasonable noise in the Town of Cheektowaga is prohibited. Noise of such character and intensity and duration as to be detrimental to the life or health of any individual in a residential, apartment-hotel or business district, ad defined by the zoning ordinances of said Town is prohibited. Unnecessary noise in any such district during the hours from 12:00 midnight to 7:00 a.m., which unreasonably interferes with the sleep, comfort, and repose of individuals therein, is prohibited."

shall be amended by deleting the works "during the hours from 12:00 midnight to 7:00 a.m.

(b) RESOLVED that §45-2 - TYPES OF NOISMAKING ACTS PROHIBITED, Subdivision D., (Paragraph 1 of Ordinance No. 17 of the General Town Ordinances) which reads:

> "D The playing of any radio, phonotraph or any musical instrument in any place in a residential or apartment-hotel district at any time between 12:00 midnight and 7:00 a.m. in such a manner or with such volume as to annoy or disturb any person thereby."

shall be amended by deleting the works "between 12:00 midnight and 7:00 a.m.:

* *

BE IT FURTHER RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 15th day of September, 1980; that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and

Item No. 8 cont'd

having a general circulation therein; and affidavits of publication thereof shall be filed with the Town Clerk.

The aforementioned change to the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

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 } ss.
TOWN OF CHEEKTOWAGA

Gladys M. Leckstein, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks; first publication September 18, 1980; last publication September 18, 1980; and that no more than six days intervened between publications.

Gladys M. Leckstein

Sworn to before me this 19th day of September, 1980.

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

No. 24

No. 25

EXTRACTS FROM MINUTES OF CHEEKTOWAGA TOWN BOARD

At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Roads, in said Town on the 15th day of September, 1980 at 7:00 o'clock p.m. Eastern Daylight Saving Time there were:

PRESENT:
Supervisor Kenneth J. Meyers
Councilmen:
Thomas M. Johnson, Jr.
Frank J. Dux
James R. Burst
Donald J. Wegner
William P. Rogowski

ABSENT:
Councilman Frank E. Swiatek

Motion by Councilman Wegner, Seconded by Councilman Johnson

WHEREAS, The Code Review Committee of the Town of Cheektowaga has recommended that a certain provision of the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) to be amended by deletion; and

WHEREAS, the Town Board duly called a public hearing to consider the advisability of adopting said amendment to said Ordinance and gave due notice thereof as required by law; and

WHEREAS, a public hearing on said proposed amendment was duly held by this Town Board at the Cheektowaga Town Hall, corner of Broadway and Union Road, Cheektowaga, New York on the 3rd day of September, 1980 at 7:00 P.M., and at which hearing all parties in interest and citizens had an opportunity to be heard, and were heard; and

WHEREAS, it is in the public interest to amend by deletion the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17 as amended) as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) be, and the same hereby is, amended and changed as follows:

AMENDMENT TO THE NOISE ORDINANCE
[ORDINANCE NO. 17, AS AMENDED]

1. (a) RESOLVED that §45-1 - TYPES OF NOISES PROHIBITED: DEFINITIONS, Subdivision A., (§2 of Ordinance No. 17 of the General Town Ordinances) which reads:

"A. Subject to the provisions of this chapter, the creation of any unreasonable noise in the Town of Cheektowaga is prohibited. Noise of such character and intensity and duration as to be detrimental to the life or health of any individual in a residential, apartment-hotel or business district, as defined by the zoning ordinances of said town is prohibited. Unnecessary noise in any such district during the hours from 12:00 midnight to 7:00 a.m., which unreasonably interferes with the sleep, comfort and repose of individuals therein, is prohibited."

shall be amended by deleting the words "during the hours from 12:00 midnight to 7:00 a.m."

(b) RESOLVED that §45-2 - TYPES OF NOISEMAKING ACTS PROHIBITED, Subdivision D., (Paragraph 1 of Ordinance No. 17 of the General Town Ordinances) which reads:

"D. The playing of any radio, phonograph or any musical instrument in any place in a residential or apartment-hotel district at any time between 12:00 midnight and 7:00 a.m. in such a manner or with such volume as to annoy or disturb any person thereby."

shall be amended by deleting the words "between 12:00 midnight and 7:00 a.m."

BE IT FURTHER RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 15th day of September, 1980; that a certified copy thereof be published in The CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein; and affidavits of publication thereof shall be filed with the Town Clerk.

The aforementioned change to the "Noise Ordinance of the Town of Cheektowaga, New York" (Ordinance No. 17, as amended) shall take effect ten (10) days after such publication, but such change shall take effect from the date of their service as against a person served personally with a copy therof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry into the minutes.

Upon roll call . . .

Supervisor Meyers Voting AYE
Councilmen:
Swiatek Voting ABSENT
Johnson Voting AYE
Dux Voting AYE
Burst Voting AYE
Wegner Voting AYE
Rogowski Voting AYE

AYES: 6
NAYES: 0
ABSENT: 1

STATE OF NEW YORK)
COUNTY OF ERIE)

I, RICHARD M. MOLESKI, Town Clerk of the Town hereinafter describe, 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 September 15, 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. 8, inclusive, of said book.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said Town, this 15th day of September, 1980.

RICHARD M. MOLESKI
Town Clerk

PUBLISHED: September 18, 1980

Item No. 9 Motion by Councilman Rogowski, seconded by Councilman Johnson

WHEREAS, bids were duly received by this Town Board at a meeting thereof held on July 7, 1980 for snow plow blades, wing blades, cutting edges, wing and snow plow shoes, grader blades, receiver grates, frames, curb boxes for storm sewer receivers, extension rings for manholes, frames and covers for use in the Cheektowaga Highway Department, as a result of advertisement therefor, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the various bids be and hereby are awarded to the lowest responsible bidders meeting specifications as set forth on the tabulation sheet compiled by the Superintendent of Highways, a copy of which is attached hereto and made a part hereof.

* See next seventeen (17) pages

ALFRED F. WNEK
SUPERINTENDENT
OFFICE: ~~686 4XXX~~
686 3450
ROBERT KARASZEWSKI
Deputy Superintendent

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

September 9, 1980

HONORABLE KENNETH J. MEYERS, SUPERVISOR
HONORABLE MEMBERS OF THE TOWN BOARD
TOWN HALL, CHEEKTOWAGA, NEW YORK 14227

Gentlemen: Award of contract for snow plow blades, etc.

On July 7, 1980, the Honorable Body received and opened publicly bids for snow plow blades, wing blades, cutting edges, wing and snow plow shoes, grader blades, receiver grates, frames, curb boxes for storm sewer receivers, extension rings for manholes, frames and covers.

Attached hereto is a complete list of all bidders and their prices for each item. Jamestown Iron Works is the only bidder on extension rings and covers.

You will find bidders who have lower prices, but do not conform to our specification needs, and are so designated by notations relating to same.

It is my belief, that the ones with the proper specifications be awarded bid contracts for each item as indicated on the attached list.

I hope this will meet with your honorable approval. Thank you, I remain,

Respectfully yours,
TOWN OF CHEEKTOWAGA

ALFRED F. WNEK, SUPT. OF HIGHWAYS

RECEIVED
SEP 11 1980
Richard M. Moleski, Town Clerk

AFW/bg
James Kirisits - Town Atty.
Town Clerk
file

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

No. 24 No. 25

	CHEMUNG SUPPLY CORP. P.O. bx 527 ELMIRA, NY 14902	VALK MNFG. CO. BOX 218 Carlisle, Pa. 17013	T.W. TRUCKING CO. 2025 Walden Cheekt. 25, NY 14225 * refer to suplem	PAPER, CALMENSON & CO. P.O. BOX 43432 St. Paul, Minn. 55164	WALTER ROBERTS ENTERPRISES 829 Sheridan Dr Tona. 14150	DOW AND CO. 1820 Elmwood Buffalo NY 14207
Reversible Blades for ONE MAN PLOW	Do NoT Meet our Specs.		Do NoT Meet our Specs.		Do NoT Meet our Specs. Carlson 1050	Do NoT Meet our Specs.
Frink, #501-40 (3/4"x8x13? 17 holes sqaure edge flat PACAL hardened to ROCKWELL "C" 62 plus or minus 5 on wearing Portion						
PER DOZEN	893.28	No Bid	973.32 *	1914.00	1034.52	869.02
PER ½ Doz.	446.64	No Bid	491.58	957.00	517.26	450.17
PER UNIT	74.44	No Bid	82.76	159.50	86.21	75.87
FRINK #501-30(3/4"x8/115) 15 holes square edge flat PACAL hardened to Rockwell "C" - 62 plus or minus 5 on wearing portion	Do NoT Meet our Specs.		Do Not Meet our Specs.		Do NoT Meet our Specs. Carlson 1050	Do Not Meet our Specs.
PER DOZEN	794.76	No Bid	872.40 *	1666.92	see attach.	772.63
PER 1/2 DOZEN	397.38	No Bid	440.64	833.46	see attach.	395.51
PER UNIT	66.23	No Bid	74.18	138.91	see attach.	67.45
#20176-B ROSS (8"w-9½'-5/8" thick) 5/8 dia. 12 holes						
PER DOZEN	629.04	618.60	685.08	489.84	727.56	611.73
PER 1/2 DOZEN	314.52	$333.30	346.08	244.92	363.78	313.15
PER UNIT	52.42	61.55	58.26	40.82	60.63	53.41
ROSS - 304 B(8½ ft. x 1/2)						
PER DOZEN	346.68	38.53 ea.	378.00	338.16	401.76	337.43 NP 7/7/80
PER 1/2 DOZ.	173.34	43.53 ea.	190.92	169.08	200.88	172.76 " " " " "
PER UNIT	28.89	48.53 ea.	32.14	28.18	33.48	29.45 " " " " "

No. 24 No. 25

HEMUNG SUPPLY ORP. P.O. bx 527 LMIRA, NY 14902	VALK MNFG. CO. BOX 218 Carlisle, Pa. 17013	T.W. TRUCKING CO. 2025 Walden Cheekt. 25, NY 14225 * refer to suplem	PAPER, CALMENSON & CO. P.O. BOX 43432 St. Paul, Minn. 55164	WALTER ROBERTS ENTERPRISES 829 Sheridan Dr Tona. 14150	DOW AND CO. 1820 Elmowood Buffalo NY 14207	UTTALL EQUIP. SHERMAN NEW YORK 128 E. Main St. 14781	MARSH STENCIL CORP. [illegible] West Falls, NY 14170
Do NoT Meet our Specs.		Do NoT meet our Specs.		Do NoT meet our Specs. Carbon 1090	Do NoT Meet our Specs.	Do NoT meet our Specs.	non hardened high carbon steel Do NoT Meet our Specs.
893.28	No Bid	973.32 *	1914.00	1034.52	869.02	C-1090 steel 976.56	935.40 doz. 77.95 ea.
446.64	No Bid	491.58	957.00	517.26	450.17	488.28	471.84 --78.64 ea.
74.44	No Bid	82.76	159.50	86.21	75.87	81.38	79.33 ea.
Do NoT Meet our Specs.		Do NoT Meet our Specs.		Do NoT Meet our Specs. CARBON 1090	Do NoT Meet our Specs,	Do NoT Meet our Specs. C-1090 steel	non hardened high carbon steel. Do NoT Meet our Specs. 831.48 doz.
794.76	No Bid	872.40 *	1666.92	see attach.	772.63	868.32	69.29 ea.
397.38	No Bid	440.64	833.46	see attach.	395.51	434.16	419.40- 69.90 ea.
66.23	No Bid	74.18	138.91	see attach.	67.45	72.36	70.52 ea.
629.04	618.60	685.08	489.84	727.56	611.73	686.48	658.32 doz. 54.86 ea.
314.52	$333.30	346.08	244.92	363.78	313.15	343.74	332.10 -- 55.35 ea.
52.42	61.55	58.26	40.82	60.63	53.41	57.29	55.83 ea.
346.68	38.53 ea.	378.00	338.16	401.76	337.43 NP 7/7/80	379.20	363.12 doz. 30.26 ea.
173.34	43.53 ea.	190.92	169.08	200.88	172.76 " " " " "	189.60	183.18--30.53 ea.
28.89	48.53 ea.	32.14	28.18	33.48	29.45 " " " " "	31.60	30.80 ea.

No. 24 No. 25

	CHEMUNG SUPPLY CORP. P.O. 527 Elmira, NY 14902	VALK Mfg. Co. Box 218 Carlisle Pa. 17013 717-766-0711	T.W. Trucking Walden Ave. Cheekto. NY 14225	PAPER, CALMENSON & CO. P.O. Bx 43432 St. Paul, Minn. 55164	WALTER ROBERTS ENTERPRISES 809 Sheridan Tona. 14150	
WING BLADES						
ALL HOLES TO BE ONE INCH FROM TOP AND 8 INCH CENTERS						
ROSS 13280B (6"Wx8½Lx¼" thick 5/8" dia. – 11 holes						
PER DOZEN	335.88	30.15 ea.	367.08	329.40	390.12	327.73
PER 1/2 DOZEN	167.94	35.15 ea.	185.40	164.70	195.06	167.76
PER UNIT	27.99	40.15 ea.	31.21	27.45	32.51	28.61
FRINK – 11 FHR (1/2x6x104) 13 holes						(10FHR)
PER DOZEN	368.04	30.64 ea.	401.28	356.16	426.48	358.22
PER 1/2 DOZEN	184.02	35.64 ea.	202.68	178.08	213.24	183.37
PER UNIT	30.67	40.64. ea.	34.12	29.68	35.54	31.27
SHOES						
17206 B (for wing)						
PER DOZEN	509.64	No Bid	504.72	No Bid	536.52	450.70
PER 1/2 DOZEN	254.82	No Bid	254.94	No Bid	268.26	230.72
PER UNIT	42.47	No Bid	42.92	No bid	44.71	39.35
WING – ROSS #1341-C						
PER DOZEN	299.64	20.17ea.	282.72	No bid	315.48	264.98
PER 1/2 DOZEN	149.82	20.17 ea.	142.80	No bid	157.74	135.64
PER [illegible]	24.97	20.17 ea.	24.04	No bid	26.29	23.13

No. 24 | No. 25

CHEMUNG SUPPLY CORP. P.O. 527 Elmira, NY 14902	VALK Mfg. Co. Box 218 Carlisle Pa. 17013 717-766-0711	T.W. Trucking Walden Ave. Cheekto. NY 14225	PAPER, CALMENSON & CO. P.O. Bx 43432 St. Paul, Minn. 55164	WALTER ROBERTS ENTERPRISES 809 Sheridan Tona. 14150	Sew & Co.	WALL SUPP. CO. Nessa Kendall Co. Rt. 240 West Falls, NY 14170
335.88	30.15 ea.	367.08	329.40	390.12	327.73	352.68 Doz.
						368.28 29.39 ea.
167.94	35.15 ea.	185.40	164.70	195.06	167.76	184.18 177.90-20.65ea.
27.99	40.15 ea.	31.21	27.45	32.51	28.61	30.69 29.91 ea.
					(1OFHR)	
368.04	30.64 ea.	401.28	356.16	426.48	358.22	385.56 doz.
184.02	35.64 ea.	202.68	178.08	213.24	183.37	32.13 ea. 402.60
30.67	40.64. ea.	34.12	29.68	35.54	31.27	201.30 194.46 - 32.41 ea.
						33.55 32.69 ea.
509.64	No Bid	504.72	No Bid	536.52	450.70	485.04 doz.
254.82	No Bid	254.94	No Bid	268.26	230.72	40.42 ea. 506.52
42.47	No Bid	42.92.	No bid	44.71	39.35	253.26 244.68 - 40.78 ea.
						42.21 41.14 ea.
299.64	20.17ea.	282.72	No bid	315.48	264.98	285.12 doz.
149.82	20.17 ea.	142.80	No bid	157.74	135.64	23.76 ea. 297.84
24.97	20.17 ea.	24.04	No bid	26.29	23.13	148.92 143.82 - 23.97 ea.
						24.82 ea.

	...ING SUPPLY ...P.O.Box 527 Elmira, NY 14902	VALK CORP.	T.W. TRUCKING WALDEN AVE. CHEEKT. NY	PAPER, CALMENSON & CO.	WALTER ROBB... ENTERPRISE... 829 Sheridan ... Tonawanda, NY	DOW AND CO.
ONE WAY PLOW - FW3132-1-A						
PER DOZEN	333.24	22.11 ea.	330.48	351.36	295.09	
PER 1/2 DOZEN	166.62	22.11 ea.	166.92	175.68	151.77	
PER UNIT	27.77	22.11 ea.	28.10	29.28	25.76	
FRINK WF3027-1A MOLD BOARD SHOE						
PER DOZEN	217.44	14.53 ea.	215.16	228.72	192.15	
PER 1/2 DOZ.	108.72	14.53 ea.	108.72	114.36	98.36	
PER UNIT	18.12	14.53 ea.	18.30	19.06	16.78	
FRINK - 2184x3 WING SHOE						
PER DOZEN	299.64	20.17 ea.	296.88	315.48	264.98	
PER 1/2 DOZEN	149.82	20.17 ea.	149.94	157.74	135.64	
PER UNIT	24.97	20.17 ea.	25.24	26.29	23.13	
FRINK - 541 - R NOSE PIECE						
PER DOZEN	176.88	12.00 ea.	175.92	187.08	157.12	
PER 1/2 DOZEN	88.44	12. 00 ea.	88.86	93.54	80.43	
PER UNIT	14.74	12.00 ea.	14.96	15.59	13.71	
# 21048 - V Plow - Frink - 21048M Nose Piece Shoe						
PER DOZEN	261.36	No Bid	258.48	274.80	230.83	
PER 1/2 DOZEN	130.68	No Bid	130.56	137.40	118.16	
PER UNIT	21.78	No Bid	21.98	22.90	20.15	

17.44	14.53 ea.	215.16		228.72	192.15	216.00
08.72	14.53 ea.	108.72		114.36	98.36	108.00
18.12	14.53 ea.	18.30		19.06	16.78	18.00
99.64	20.17 ea.	296.88	Bid	315.48	264.98	285.12 doz. 23.76 ea.
49.82	20.17 ea.	149.94		157.74	135.64	143.82 -23.97 ea.
24.97	20.17 ea.	25.24		26.29	23.13	24.18 ea.
176.88	12.00 ea.	175.92	No	187.08	157.12	169.08 doz. 14.09 ea.
88.44	12. 00 ea.	88.86		93.54	80.43	85.32 - 14.22 ea.
14.74	12.00 ea.	14.96		15.59	13.71	14.34 ea.
261.36	No Bid	258.48		274.80	230.83	248.40 doz. 20.70 ea.
130.68	No Bid	130.56		137.40	118.16	125.28-20.88 ea.
21.78	No Bid	21.98		22.90	20.15	21.07 ea.
						259.44
						129.72
						21.62

No. 24 No. 25

	Chemung Supply Corp. Box 527 Elmira, New York 14902	Valk Mfg. Co.	T.W. TRUCKING WALDEN AVE. CHEEKT. NY 14225	PAPER CALMENSON & CO. P.O. Box 43432 St. Paul Minn. 55164	Walter Robe... Enterprises 829 Sheridan Dr. Tona. NY	DOW AND CO.
FRINK – 541 – 4 NOSE P...						
PER DOZEN						
PER 1/2 DOZ						
PER UNIT						
#21048-V-PLOW – FRINK –21048M NOSE PIECE						
PER DOZEN						
PER 1/2 DOZ.						
PER UNIT						
SA 17887B NOSE PIECE						
PER DOZEN	481.44	No Bid	477.00		507.00	425.88
PER 1/2 DOZEN	240.72	No Bid	240.90		253.50	218.01
PER UNIT	40.12	No Bid	40.56		42.25	37.18
GRADER BLADES			Do Not meet our Specs.		Do Not meet our Specs.	Do Not meet our Specs
6 ft. --- 5/8" to 7/8" PACAL extra edge dbl. bevel curved – hardened to ROCKWELL "C" – 62 plus or minus 5 on 7/8 wear. portion						
PER DOZEN	NO BID	no Bid	838.20*	1044.00	see attach.	748.44 L
PER 1/2 DOZEN	NO BID	no Bid	423.42	522.00	see attach.	383.13
PER UNIT	NO BID	No Bid	71.28	87.00	see attach.	65.34

ng Supply Box 527 ra, New York 14902	Valk Mfg. Co.	T.W. TRUCKING WALDEN AVE. CHEEKT. NY 14225	PAPER CALMENSON & CO. .O. Box 43432 St. Paul Minn. 55164	Walter Roberts Enterprises 829 Sheridan Dr. Tona. NY	DOW AND CO.	NUTTALL EQUIPMENT SHERMAN NY	Morse Kendall Corp. P.O. 240 West Falls, NY 14120
481.44	No Bid	477.00		507.00	425.88	478.56	458.28 doz. 38.19 ea.
40.72	No Bid	240.90		253.50	218.01	239.28	231.18-38.53 ea.
40.12	No. Bid	40.56		42.25	37.18	39.88	38.87 ea.
		Do Not meet our Specs.		Do Not meet our Specs.	Do Not meet our Specs		John Deere Dura max edges (warranty for life against breakage) Specs. enclosed) #T66703-3/4" x8"x6' Do Not meet our Specs
) BID	no Bid	838.20*	1044.00	see attach.	748.44 L	No bid	924.00 doz. 77.00 ea.
) BID	no Bid	423.42	522.00	see attach.	383.13	no bid	486.00-81.00 ea.
) BID	No Bid	71.28	87.00	see attach.	65.34	no bid	85.00 ea.

	Chemung Supply Corp. Box 527 Elmira, NY 14902	VALK MFG.	T. W. TRUCKING WALDEN AVE. CHEEKT. NY L$@@%	PAPER CALMENSON St. Paul Minn.	Walter Roberts Enterprises 829 Sheridan Dr. Tonawand,a NY	DOW AND CO.
GRADER BLADES – continued 7 ft. –– 5/8" to 7/8" x 8' PACAL extra edge dbl. bevel curved – hardened to ROCKWELL "C" – 62 plus or minus 5 on 7/8" wear portion.			Do NoT MeeT our Specs.		Do NoT MeeT our Specs. Lumber	Do NoT MeeT our Specs.
PER DOZEN	NO BID	No Bid	978.00 *	1218.00	see attach.	873.18
PER 1/2 doz.	NO BID	No Bid	493.98	609.00	see attach..	446.99
PER UNIT	NO BID	No Bid	83.16	101.50	see attach.	76.23
RUBBER SNOW PLOW BLADES AND CUTTING EDGES – Rubber snow plow blades or equal – manufactured from highly abrasion resistant 60 duro natural rubber stock.						
ONE WAY PLOW Frink – 501-40 (1½"x10"x132) 17 slotted holes						
PER DOZEN	2500.44	No Bid	2,723.16	2046.00	1512.00	2431.42
PER 1/2 DOZ.	1250.22	No Bid	1,375.44	1023.00	756.00	1244.66
PER UNIT	208.37	86.35 ea.	231.56	170.50	126.00	212.27
FRINK 501-30 (1½"x10"x116") 15 slotted holes						
PER DOZEN	2263.68	No Bid	2466.24	1798.68	1500.00	2201.98
PER 1/2 DOZEN	1131.84	No Bid	1245.66	899.34	750.00	1127.20
PER UNIT	188.64	73.00 ea.	209.71	149.89	125.00	192.24

Chemung Supply Corp. Box 527 Elmira, NY 14902	VALK MFG.	T. W. TRUCKING WALDEN AVE. CHEEKT. NY L$@@%	PAPER CALMENSON St. Paul Minn.	Walter Roberts Enterprises 829 Sheridan Dr. Tonawand,a NY	DOW AND CO.
		Do Not meet our Specs.		Do Not meet our Specs.	Do Not meet our Specs.
NO BID	No Bid	978.00 *	1218.00	see attach.	873.18
NO BID	No Bid	493.98	609.00	see attach.	446.99
NO BID	No Bid	83.16	101.50	see attach.	76.23
2500.44	No Bid	2,723.16	2046.00	1512.00	2431.42
1250.22	No Bid	1,375.44	1023.00	756.00	1244.66
208.37	86.35 ea.	231.56	170.50	126.00	212.27
2263.68	No Bid	2466.24	1798.68	1500.00	2201.98
1131.84	No Bid	1245.66	899.34	750.00	1127.20
188.64	73.00 ea.	209.71	149.89	125.00	192.24

NUTALL EQUIPMENT SHERIDAN NY	[illegible] FALL Falls, NY 14120
	[illegible] Deere Max wipes - warranty against breakage see attach. specs Textiles Inc "x7" [illegible] Inc.
no bid	[illegible] ea.
no bid	[illegible] - 84.00 ea.
no bid	85.75 ea.
1488.00	2616.72 doz. 218.06 ea.
744.00	1319.94 - 219.99 ea
124.00	221.92 ea.
1344.00	2369.76 doz. 197.48 ea.
672.00	1195.38 - 199.23 ea.
112.00	200.97

No. 24 No. 25

	Chemung Supply Box 527 Elmira, NY 14902	VALK MFG. CO.	T. W. Trucking Walden Ave. Cheekt. NY 14225	PAPER CALMENSON & CO. ST. PAUL MINN.	Walter Roberts Enterprises 829 Sheridan Dr. Tona. NY	Dow and Company
WING BLADES						
VIKING MODEL 140 (1½"x8"x134") 17 slotted holes						
PER DOZEN	2181.24	NO BID	2376.48	2077.68	1627.20	2121.84
PER 1/2 DOZEN	1090.62	NO BID	1200.36	1038.84	813.60	1086.18
PER UNIT	181.77	68.64 ea.	202.08	173.14	135.60	185.24
FRINK MODEL 11AR (1½"x8"x116") 15 slotted holes						
(13 slotted holes* see below) PER DOZEN	1901.64	No Bid	2071.08	1798.68	1356.00	1849.17
PER 1/2 DOZEN	950.64	No Bid	1046.10	899.34	678.00	946.60
PER UNIT	158.47	62.00 ea.	176.11	149.89	113.00	161.43
VIKING #70000 NOSE PIECE						
PER DOZEN	196.44	———	194.28	no bid	177.24	173.50
PER 1/2 DOZEN	98.22	———	98.10	no bid	88.62	88.82
PER UNIT	16.37	———	16.52	no bid	14.77	15.15
FRONT PLOW BLADES						
1½"x10"x132" - 13 slotted holes (rubber) PER DOZEN	2423.64	———	2639.76	2046.00	1512.00	2356.96
PER 1/2 DOZEN	1211.82	———	1333.38	1023.00	756.00	1206.54
PER UNIT	201.97	86.35 ea.	224.47	170.50	126.00	205.77
WING BLADES - FRINK - 11AR (1½"x8"x104") 15 slotted holes						
PER DOZEN	1701.84	———	1853.52	1612.68	1222.40 ~~1222x40x~~	1654.88
PER 1/2 DOZEN	850.92	———	936.18	806.34	610.2[illegible]	847.14
PER UN[illegible]	141.82	56.00 ea.	57.61	134.39	101.70	144.47

No. 24 No. 25

PAGE 6

Chemung Supply Box 527 Elmira, NY 14902	VALK MFG. CO.	T. W. Trucking Walden Ave. Cheekt. NY 14225	PAPER CALMENSON & CO. ST. PAUL MINN.	Walter Roberts Enterprises 829 Sheridan Dr. Tona. NY	Dow and Company	NUTTALL EQUIP. CO. SHERMAN NY	BETTA KENDALL CORP RT. 240 West Falls, New York 14120
2181.24	NO BID	2376.48	2077.68	1627.20	2121.84	1320.00	2283.48 doz. 190.29 ea.
1090.62	NO BID	1200.36	1038.84	813.60	1086.18	660.00	1151.88-191.98 ea.
181.77	68.64 ea.	202.08	173.14	135.60	185.24	110.00	193.66
1901.64	No Bid	2071.08	1798.68	1356.00	1849.17	1104.00	1990.08 doz. 165.84 ea.
950.64	No Bid	1046.10	899.34	678.00	946.60	552.00	1005.86 - 167.31 ea.
158.47	62.00 ea.	176.11	149.89	113.00	161.43	92.00	168.77 ea.
196.44	———	194.28	no bid	177.24	173.50	195.00	186.72 doz. 15.56 ea.
98.22	———	98.10	no bid	88.62	88.82	97.50	94.20 - 15.70 ea.
16.37	———	16.52	no bid	14.77	15.15	16.25	15.84 ea.
2423.64	———	2639.76	2046.00	1512.00	2356.96	1488.00	2536.56 doz. 211.38 ea.
1211.82	———	1333.38	1023.00	756.00	1206.54	744.00	1279.50-213.25 ea.
201.97	86.35 ea.	224.47	170.50	126.00	205.77	124.00	215.12 ea.
1701.84	———	1853.52	1612.68	1222.40 ~~1222.40~~	1654.88	996.00	1780.92 doz. 148.41 ea.
850.92	———	936.18	806.34	610.2[illegible]	847.14	498.00	892.38-149.73 ea.
141.82	56.00 ea.	[illegible]7.61	134.39	101.70	[illegible]		

	Chemung Supply Elmira NY	VALK Mfg. Co.	T.W. Trucking Walden Ave. Cheekt. NY 14225	PAPER CALMENSON ST. PAUL MINN.	Walter Roberts Enterprises 829 Sheridan Dr. Tona. NY	
WING BLADES FRINK #[illegible] STEEL 3/4"x6"x120" HEAT [illegible] STEEL Highway punched - [illegible] to ROCKWELL "C" 62 [illegible] minus 5	Do not meet our Specs.		Do not meet our Specs.	SEE ALTERNATE 3/4"x8"x120	Do not Meet our Specs	Do not meet our Specs.
PER DOZEN	614.88	———	672.48*	1740.00	see attach.	599.13
PER 1/2 DOZEN	307.44	———	339.66	870.00 Alt.	see attach.	306.70
PER UNIT	51.24	no bid	57.18	145.00 Alt.	see attach.	52.31
5/8"x6"x120" - 12 holes (steel)						
PER DOZEN	517.44	41.98 ea.	563.76	502.92	see attach.	503.37
per 1/ 2 DOZEN	258.72	46.98 ea.	284.76	251.46	see attach.	257.68
PER UNIT	43.12	51.98 ea.	47.94	41.91	see attach.	43.95
1½"x10"x120" - 12 holes (RUBBER)						
PER DOZEN	2206.44	no bid	2403.48	1860.00	1500.00	2146.03
PER 1/2 DOZEN	1103.22	no bid	1214.04	930.00	750.00	1098.56
PER UNIT	183.87	78.50 ea.	204 .38	155.00	125.00	187.35
FRONT PLOW BLADE -CARBIDE EDGE 132"						
PER DOZEN	NO BID	no bid	no bid	no bid	see attach.	No Bid
PER 1/2 DOZEN	NO BID	no bid	no bid	no bid	see attach.	no bid
PER UNIT	NO BID	506.00 ea.	no bid	no bid	see attach.	no bic
CARBIDE TIPPED shoe for above #3232						
PER DOZEN	NO BID	no bid	refer to note	no bid	see attach.	no bid
PER 1/2 dozen	NO BID	no bid	on previous	no bid	see attach.	no bid
PER UNIT	NO BID	95.00 ea.	page	no bid	see attach.	no bid

Channing Supply Elmira NY	VALE Mfg. Co.	T.R. Trucking Walden Ave. Cheekt. NY 14225	PAPER CALMENSON ST. PAUL MINN.	Walter Roberts Enterprises 829 Sheridan Dr. Tona. NY		KENDALL SHERIDAN BECCA KENDALL 27.040 West Falls, NY 14120
Do not meet our Specs.	Do not meet our Specs.			Do not Meet our Specs	Do not meet our Specs.	Do not meet our Specs. ALTERNATE NON HARDENED HIGH CARBON STEEL MEETS SPEC. ON PREV. PAGE C-1090 Steel
614.88	———	672.48*	SEE ALTERNATE 3/4"x8"x120 1740.00	see attach.	599.15	673.32 — 644.76 doz. 53.73 ea.
307.44	———	339.66	870.00 Alt.	see attach.	306.70	336.66 — 325.26 - 54.21 ea.
51.24	no bid	57.18	145.00 Alt.	see attach.	52.31	56.11 — 54.68 ea.
517.44	41.98 ea.	563.76	502.92	see attach.	503.37	565.68 — 541.68 doz. 45.14 ea.
258.72	46.98 ea.	284.76	251.46	see attach.	257.68	282.84 — 273.24 - 45.54 ea.
43.12	51.98 ea.	47.94	41.91	see attach.	43.95	47.14 — 45.94 ea.
2206.44	no bid	2403.48	1860.00	1500.00	2146.03	2309.52 doz. 192.46 ea. 1344.00
1103.22	no bid	1214.04	930.00	750.00	1098.56	672.00 — 1164.96 - 194.16 ea.
183.87	78.50 ea.	204 .38	155.00	125.00	187.35	112.00 — 195.87 ea.
NO BID	no bid	no bid	no bid	see attach.	No Bid	NOTE: Firm prices in effect through Jan. 1, 1981 PERVIOUS PRICES 7444.80 — NO BID
NO BID	no bid	no bid	no bid	see attach.	no bid	3722.40 — NO BID
NO BID	506.00 ea.	no bid	no bid	see attach.	no bic	620.40 — NO BID
NO BID	no bid	refer to note	no bid	see attach.	no bid	firm prices in effect through Jan. 1, 1981 1650.00 — NO BID
NO BID	no bid	on previous	no bid	see attach.	no bid	825.00 — NO BID
NO BID	95.00 ea.	page	no bid	see attach.	no bid	137.50 — NO BID

Resolution 9/15/80

...unit ... shall be ... the prices as shown for the ...
entire year ~~July 25, 1980 thru July 25, 1981~~

J-865 25-10
Mr. Maner

EXTENSION RINGS FOR MANHOLES (Machined to Prevent Rocking)		PER DOZEN	PER ½ DOZEN	PER UN.
" dia. x 1"	GRAY IRON	$768.00	$396.00	$70.00
22" dia. x 2"	GRAY IRON	768.00	396.00	70.00
22" dia. x 3"	GRAY IRON	808.80	412.00	70.00
22½" dia. x 2	GRAY IRON	768.00	396.00	70.00
23" dia. x 1"	GRAY IRON	768.00	396.00	70.00
23" dia. x 1½"	GRAY IRON	768.00	396.00	[illegible]
23" dia. x 2"	GRAY IRON	768.00	396.00	70.00
23" dia. x 3"	GRAY IRON	810.80	416.00	70.00
24" dia. x 1"	GRAY IRON	768.00	396.00	70.00
24" dia. x 1½"	GRAY IRON	768.00	396.00	70.00
24" dia. x 2"	GRAY IRON	768.00	396.00	70.00
24" dia. x 3"	GRAY IRON	810.80	416.00	70.00
25" dia. x 1"	GRAY IRON	768.00	396.00	70.00
25" dia. x 1½"	GRAY IRON	768.00	396.00	70.00
25" dia. x 2"	GRAY IRON	814.00	408.00	70.00
25" dia. x 3"	GRAY IRON	816.00	416.00	70.00
SEWER CASTINGS WITH COVERS				
23"	GRAY IRON	1,392.00	718.80	127.00
23"	GRAY IRON	1,392.00	718.80	127.00
24"	GRAY IRON	1,392.00	718.80	127.00
25"	GRAY IRON	1,392.00	718.80	127.00
MANHOLE COVERS WITHOUT CASTINGS				
22"	GRAY IRON	858.60	432.00	78.38
23"	GRAY IRON	858.60	432.00	78.38
24"	GRAY IRON	858.60	432.00	78.38
25"	GRAY IRON	858.60	432.00	78.38

No. 24

No. 25

Sept. 15 1980 Jr

		PER DOZEN	PER ½ DOZEN	PER UNIT
MANHOLE FRAMES				
	GRAY IRON	$770.40	$393.30	$74.00
"	GRAY IRON	770.40	393.30	74.00
24"	GRAY IRON	770.40	393.30	74.00
25"	GRAY IRON	770.40	393.30	74.00
SANITARY SEWER COVER				
[illegible]-ST	GRAY IRON			
RECEIVER BOXES				
Standard City of Buffalo Type	GRAY IRON	No Quote	No Quote	No Pattern
CURB BOX				
Standard City of Buffalo Type	GRAY IRON	No Quote	No Quote	No Pattern
RECEIVER GRATES, FRAMES & CURBOXES - WITHOUT FRAME				
12x12 - Heavy Duty	GRAY IRON	$456.00	$256.80	$46.00
12x18 - Heavy Duty	GRAY IRON	600.00	302.00	52.00
13x18 - Heavy Duty	GRAY IRON	600.00	302.00	52.00
HALF RECEIVER - WITHOUT FRAME				
15x29 - Heavy Duty	GRAY IRON	888.00	444.00	78.00
18x18 - Heavy Duty	GRAY IRON	640.00	324.00	63.00
[illegible] RECEIVER - WITHOUT FRAME				
22x29 - Heavy Duty	GRAY IRON	760.00	416.00	80.00
26x26 - Heavy Duty	GRAY IRON	760.00	412.00	80.00
24" Round - Heavy Duty	GRAY IRON	858.60	432.00	78.38
FRAMES FOR DARK SECTION - TOP SECTION				
18x18	GRAY IRON	No Quote	No Quote	No Pattern
24x24	GRAY IRON	No Quote	No Quote	No Pattern

IN NEW YORK STATE BY AMERICANS

SIGNED JAMESTOWN IRON WORKS, INC.
Company

DATE July 1, 1980

Edwin P. Maher, PRESIDENT
Officer or Agent EDWIN P. MAHER

Item No. 9 cont'd

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

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

WHEREAS, the Town of Cheektowaga has entered into a Cooperation Agreement with the County of Erie for the purpose of undertaking or assisting in undertaking essential community development and housing assistance activities and publicly assisted housing under the Housing and Community Development Act of 1974 as amended, and

WHEREAS, the County of Erie has received a grant for the 1980-81 program year from the United States Department of Housing and Urban Development to further the purposes of the said Act, and

WHEREAS, the Town of Cheektowaga desires to enter into an Agreement with the County of Erie for the purpose of undertaking eligible activities under the Housing and Community Development Act of 1974, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign an Agreement with the County of Erie for the 1980-81 Community Development Program Year, and BE IT FURTHER

RESOLVED that a certified copy of this resolution be forwarded to Mr. John Mowatt, Erie County Community Development Directork 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. 11 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the Erie County Department of Environment and Planning imposed a moratorium on Sanitary Sewer District #3, which moratorium allowed twenty (20) tap-ins equivalents every six (6) months within said sewer district, and

WHEREAS, the Commissioner of Environment and Planning of the County of Erie is proposing the withdrawal of said Order in Sanitary Sewer District #3, said Order withdrawal being based on the Town of Cheektowaga's Inflow and Infiltration Program and records of past years demonstrating that the request for tap-in equivalents in Sanitary Sewer District #3 have been substantially less than the allocation, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, acting as the Board of Managers of Sanitary Sewer District #3, accepts the Commissioner's officer of withdrawal, and BE IT FURTHER

RESOLVED that the Supervisor, acting on behalf of this Board of Managers of Sanitary Sewer District #3, is authorized to sign the Withdrawal Agreement with the Department of Environmental Quality of the County of Erie.

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

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

WHEREAS, the Erie County Department of Environment and Planning

Item No. 12 cont'd

imposed a moratorium on Sanitary Sewer District #5, which moratorium allowed twenty (20) tap-in equivalents every six (6) months within said sewer district, and

WHEREAS, the Commissioner of Environment and Planning of the County of Erie is proposing the withdrawal of said Order in Sanitary Sewer District #5, said Order withdrawal being based on the Town of Cheektowaga's Inflow and Infiltration Program and records of past years demonstrating that the request for tap-in equivalents in Sanitary Sewer District #5 have been substantially less than the allocation, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, acting on behalf of this Board of Managers of Sanitary Sewer District #5, accepts the Commissioner's offer of withdrawal, and BE IT FURTHER

RESOLVED that the Supervisor, acting on behalf of this Board of Managers of Sanitary Sewer District #5, is authorized to sign the Withdrawal Agreement with the Department of Environmental Quality of the County of Erie.

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

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

WHEREAS, the U.S. Army Corps of Engineers Scajaquada Creek Flood Control Project, in the Town of Cheektowaga, requires various temporary and permanent easements throughout the full length of the creek to accomplish said flood control project, and

WHEREAS, nineteen (19) permanent and forty eight (48) temporary easement parcels were previously approved in a resolution dated July 2, 1979, and

WHEREAS, an additional six (6) permanent easement parcels and fourteen (14) temporary easement parcels as shown and legally described on individual maps prepared by the New York State Department of Environmental Conservation are on file in the Engineering Department, and

WHEREAS, the New York State Department of Environmental Conservation is requesting said easements from the Town in return for one dollar ($1.00), payment waived, NOW, THEREFORE, BE IT

RESOLVED that this Town Board accepts these conditions of the agreement for permanent and temporary easements, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, execute the necessary agreement of adjustment with the New York State Department of Environmental Conservation.

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

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

WHEREAS, it had been discovered that there is a discharge of sanitary sewer waste into a storm sewer located at 170 Straley Avenue, which discharge constitutes a health hazard, and

WHEREAS, a discharge of sanitary sewer wastes was the result of the Town not providing a riser pipe at the time that the existing deep sanitary sewer was constructed along Straley Avenue, and

WHEREAS, it is the desire of this Board of Managers of Sanitary

Item No. 14 cont'd

Sewer District #5 to eliminate this pollution problem by constructing a riser pipe from the deep sanitary sewer to a depth normally encountered in sanitary sewer construction at which house connections are made, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer is directed to contract for the construction of a sanitary sewer riser pipe from the deep truck sewer on Straley Avenue to a connection with the lateral which is located at a grade normally encountered, AND BE IT FURTHER

RESOLVED that the costs of said construction shall be charged to Sanitary Sewer District #5.

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

Item No. 15 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, residents in Sanitary Sewer District No. 5, have been experiencing sanitary sewer back-ups and what appears to be possible inflow and infiltration of storm waters into the sanitary sewer system, and

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

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

WHEREAS, such investigative and corrective work has proven in the past to be effective in controlling such infiltration, and

WHEREAS, it is desired to select applicants, which are judged to compose, as a group, an overall sampling of the storm water infiltration into the sanitary sewer system with the ultimate objective to correct any defects resulting therefrom, and

WHEREAS, it appears that such a project would benefit all residents in Sanitary Sewer District No. 5, and

WHEREAS, said Pilot Project appears to be permissible under the applicable provisions of Section 198 of the Town Law whereby the Town can expend monies for such purposes from the Sanitary Sewer District No. 5 funds as budgeted by the Town, NOW, THEREFORE, BE IT

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

RESOLVED that the Town Engineer made recommendations to the Town Board, as the Board of Managers, in and for Sanitary Sewer District No. 5, as to the specific properties which are to be served by said Pilot Project, and the Town Board, as such Board of Managers, will then make the appropriate decision designating the said properties, and BE IT FURTHER

RESOLVED that the expenses of such project, including labor and materials, be chargeable to the Sanitary Sewer District No. 5 budget in an amount not to exceed $4,900.00

Item No. 15 cont'd

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

Item No. 16a Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that Michael Gilliland of , Cheektowaga, New York 14227, social security number is hereby hired and assigned to the B.O.C.E.S. Potter Road Occupational Center, as a laborer, at a salary rate of $7,300.00/a year, and BE IT FURTHER

RESOLVED that Michael Gilliland will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

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

Item No. 16b Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973 as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that Kathleen O'Neill of , Depew, New York 14043, social security number , is hereby hired and assigned to the Village of Depew Municipal Building, as a Clerk-Typist at a salary rate of $7,463.00/year, and BE IT FURTHER

RESOLVED that Kathleen O'Neill will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

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

Item No. 16c Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, funds are presently available under the Comprehensive Employment and Training Act of 1973, as amended in 1978, Title IID, NOW, THEREFORE, BE IT

RESOLVED that the following employees are hereby hired and assigned to the Erie County Industrial Development Agency for the Gowanda Rail Line, as a laborer, at a salary rate of $7,900.00/year, and BE IT FURTHER

RESOLVED that the employees will be placed on the Cheektowaga payroll as a convenience to the worksite. The pay scale and benefits will be according to the bargaining agreement of the worksite as required by the Federal regulations. The starting date is to be established by the department head.

Item No. 16c cont'd

Bialecki, John	Weber, Richard
Cheekotwaga, New York 14227	Cheektowaga, New York 14225
Long, Richard	Zielinski, Richard
Cheektowaga, New York 14227	Cheektowaga, New York 14215
Long, Timothy	Patrick, Gerald
Cheektowaga, New York 14227	Cheektowaga, New York 14206

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

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

RESOLVED that the following be hired as Activity Directors for the Youth Bureau's Adapted Recreation Program for Developmentally Disabled Children at the rate of $5.00 per hour:

Elizabeth D'Amico
Kathleen Karaszewski

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

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

BE IT RESOLVED that Lisa Woolrich of Cheekotwaga, New York, be hired as a Figure Skating Instructor for the Recreation Department at a rate of $10.00 per hour for the 1980 season effective September 15, 1980.

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

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

BE IT RESOLVED that Dean Lach of , Cheektowaga, New York 14225, be hired as House League Hockey Coordinator for the Recreation Department at $3.25 per hour for the 1980 Season effective September 15, 1980.

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 Johnson

RESOLVED that the following persons be and hereby are hired as Seasonal (Part-time Clerical) employees to assist RONALD R. NORMAN, Receiver of Taxes and Assessments, in the 1980-81 Tax Collection and that their salary be fixed at the sum of twenty-four ($24.00) dollars per day:

No. 24
No. 25

Item No. 20 cont'd

Gwen Gies — Joan Wojtkowski

Depew, New York 14043 — Cheektowaga, New York 14225

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

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

BE IT RESOLVED that Michael Bauman of Cheektowaga, New York, presently employed as a seasonal laborer in the Facilities Department at a rate of $3.10 per hour be transferred to the Recreation Department as a Rink Guard at a rate of $3.10 per hour.

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

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

BE IT RESOLVED that the following be hired as seasonal Rink Personnel in the Recreation Department at a rate of $3.10 per hour for the 1980 season effective September 15, 1980:

Norm Bitterman
David Gasiewicz
Barry Hall
Rae Marie Heckman
Dorothy Holtz
Bob Maue
Robin Reimer
Barbara Wojcik

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

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

BE IT RESOLVED that the following personnel be hired as seasonal Community Center Supervisors in the Recreation Department at the rate of $3.50 per hour:

Joseph Wojcik
Mary Ellen Eldridge

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

Item No. 24 Promotion to position of Senior Maintenance Man in Sewer Maintenance Department
This item was withdrawn.

Item No. 25 Motion by Councilman Johnson, seconded by Councilman Burst

WHEREAS, the necessary PO-17 forms have been submitted to the Erie County Department of Personnel for the creation of a "Fire Inspector" in the Cheektowaga Building Inspection 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 "Fire Inspector" in the Cheektowaga Building Inspection Department, be and hereby is created.

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

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

WHEREAS, James Piniewski, a Motor Equipment A Operator in the Cheektowaga Highway Department, has requested a fifteen (15) day sick leave extension due to illness, and

WHEREAS, Mr. Piniewski has exhausted all accrued sick leave, vacation and personal leave benefits, NOW, THEREFORE, BE IT

RESOLVED that James Piniewski be and hereby is granted an extended sick leave of absence not to exceed fifteen (15) days, effective immediately, subject to the provisions of the Collective Bargaining Agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association.

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

Item No. 27 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, Mr. Bernard Arendt, an employee of the Cheektowaga Facilities Department, has requested a fifteen (15) day sick leave extension due to illness, and

WHEREAS, Mr. Arendt, has exhausted all accrued sick leave, vacation and personal leave benefits, and

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Cheektowaga Employees' Association permits the Town Board to authorize a sick leave extension as per Article 8, Section 8.02, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby grant Mr. Bernard Arendt of Cheektowaga, New York, a fifteen (15) day sick leave extension effective September 16, 1980 to be repaid to the Town upon Mr. Arendt's return to service.

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

Item No. 28 Motion by Councilman Burst, seconded by Councilman Wegner

WHEREAS, the Cheektowaga Youth Bureau has successfully completed its third Youth Conservation Corps Grant Project, and

Item No. 28 cont'd

WHEREAS, the New York State Department of Environmental Conservation is conducting a working wrap-up conference for all 1980 U.S. Youth Conservation Corps Project Coordinators on September 29th through October 1st, 1980 in Lake Luzerne, New York, NOW, THEREFORE, BE IT

RESOLVED that Bonnie Platt and Kevin Bardol, Project Coordinators for the Youth Conservation Corps program, are hereby authorized to attend said conference, and BE IT FURTHER

RESOLVED that they are authorized to utilize a Town vehicle in conjunction with said conference; and are reimbursed for all reasonable travel expenses, not to exceed $75.00. All other expenses are to be paid by the Department of Environmental Conservation.

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

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

RESOLVED that Kenneth J. Kopacz, Executive Director of the Cheektowaga Youth Bureau, is hereby authorized to attend the Tenth Annual Association of New York State Youth Bureaus Conference, to be held in Stevensville, New York, October 14th through October 17th ,1980, and BE IT FURTHER

RESOLVED that Kenneth J. Kopacz be reimbursed for his necessary and reasonable travel expenses in connection with said trip not to exceed $350.00.

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

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

WHEREAS, the Federal Aviation Administration and the Federal Bureau of Investigation (F.B.I.) are holding a joint seminar on Aircraft Hijacking on September 29, 1980 in Boston, Massachusetts, and

WHEREAS, the Cheektowaga Police Department plays a vital role in any aircraft hijacking plan for the western New York area, and

WHEREAS, Captain Henry Snyder is in command of the Cheektowaga Police Department's Airport Division, NOW, THEREFORE, BE IT

RESOLVED that Captain Henry Snyder be and hereby is authorized to attend said seminar shall be paid by the Niagara Frontier Transportation Authority.

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

Item No. 31a Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at a vacant lot at 95 Brookedge Drive, Cheektowaga, New York (Tax Account No. 45-829, Map Cover 2310, Sublot 48) and according to the Assessor's Office records is owned by John Sobierajski, Cheektowaga, New York 14211, and

No. 24 No. 25

Item No. 31a cont'd

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 31b Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleanin up of property located at a vacant lot west of 1000 Cleveland Drive, Cheektowaga, New York (Tax Account No. 20-48 and 20-49) and according to the Assessor's Office records is owned by Anthony Jaje, , Cheektowaga, New York, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 31c Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the rear of 885 French Road, Cheektowaga, New York (Tax Account No. 2-369) and according to the Assessor's Office records is owned by Lyal Monin, Cheektowaga, New York, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 31d Motion by Councilman Johnson, seconded by Councilman Rogowski

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located south of Goering Avenue, West of Nagel Drive, Cheektowaga, New York (Tax Account No. 3-204-50) and according to the Assessor's Office records is owned by 2386 Walden AVenue Corporation, c/o Benderson Development Corp., 570 Delaware Avenue, Buffalo, New York 14202, and

Item No. 31d cont'd

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

Item No. 31e Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, continuous complaints have been received by the Town Board about the cleaning up of property located at the front and rear of 1050 George Urban Boulevard, Cheektowaga, New York (Tax Account No. 23-4) and according to the Assessor's Office records is owned by Audrey Parker, Cheektowaga, New York 14225, and

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

RESOLVED that pursuant to Article 4, Section 64, paragraph 5a of the Town Law of the State of New York, clean-up be commenced by the Town and any cost be assessed against the landowner hereinbefore described.

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

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

BE IT RESOLVED that the following fund transfers are hereby approved:

FROM	AMOUNT	TO
A.1990.480 (Contingency)	$1,000.00	A.1010.220 (Town Board-Office Equipment)
A.1990.480 (Contingency)	1,400,00	A.1220.459 (Appraisal)

and BE IT FURTHER

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

* See next three (3) pages

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

FACILITIES — Department

SEPTEMBER 3, 1980 — Date

VARIOUS Fund

FROM			TO	
Account	Title	$	Account	Title
7141.445	MAINTENANCE OF GROUNDS	$ 608.65	A7141.206	MAINTENANCE TOOLS
7141.445	MAINTENANCE OF GROUNDS	$ 793.28	A7141.446	SERVICE & REPAIR
7405.550	SPECIAL EVENTS	$ 433.39	A7110.550	SPECIAL EVENTS
7405.550	SPECIAL EVENTS	$ 215.00	A7142.445	MAINTENANCE OF GROUNDS
7143.421	UTILITIES	$1,062.00	A7143.445	MAINTENANCE OF GROUNDS
7405.550	SPECIAL EVENTS	$1,775.36	A7181.414	CHEMICALS
7181.419	MISCELLANEOUS	$ 147.78	A7181.414	CHEMICALS
20.230	CLEANING EQUIPMENT	$1,000.00	A1620.446	CONTRACTED SERVICES
1620.230	CLEANING EQUIPMENT	$1,000.00	A1620.445	BLDGS. & GRNDS. MAINT.
1620.230	CLEANING EQUIPMENT	$1,000.00	A1622.445	BLDGS. & GRNDS. MAINT.
1620.230	CLEANING EQUIPMENT	$ 350.00	A1624.445	BLDGS. & GRNDS. MAINT.

Explanation TRANSFERS ARE INDICATIVE OF IMPROPER BUDGET ALLOCATIONS BY THE BOARD, VANDALISM, ABUSE AND UNBUDGETED DEMANDS MADE UPON THIS DEPARTMENT BY VARIOUS DEPARTMENTS WE SERVICE.

James J. Mutschler
Signature

NO. 24

NO. 25

BUDGET TRANSFER REQUEST

HIGHWAY — Department

September 5, 1980 — Date

m ~~xxxxxx~~ HIGHWAY DEPT.

~~DRx5150~~ - HIGHWAY Fund

~~Spxxxxxxmprxxxxxxx~~

FROM			TO	
Account	Title	$	Account	Title
Item I S 5150	Spec. Improvement-Surplus	93,047.72	Item I DR 5110.170	General Labor
Item I S 5150.475	Spec. Improvement Plant mix	20,000.00	Item I DR 5110.170	General Labor
Item I S 5150.475	" " " " " " " " " " " "	23,850.00	Item 1 DR 5110.472	General Stone
Item I DR 9040.813	Gen. Workmen Comp.	12,650.00	Item I DR 9030.812	Gen. Soc. Sec.
Item 2 DB 5120	Bridges - Surplus	4,000.00	Item 2 DB 5120.170	Bridge Labor
Item 2 DB 5120	Bridges Surplus	500.00	Item 2 DB 9030.812	Bridges - Soc. SEc.
Item 2 DB 5120	Bridges Surplus	145.00	Item 2 DB 9050.814	Bridges - Hosp. Ins.

Alfred F. Wnek — Signature

Supt. of Highways

Explanation Lack of funds in transfer to items

No. 24

No. 25

TOWN OF CHEEKTOWAGA, NEW YORK

BUDGET TRANSFER REQUEST

Highway Dept. — Department

Sept. 5, 1980 — Date

HIghway Fund

FROM			TO	
Account	Title	$	Account	Title
tem 3 M 5130.920	Mach. Bond Interest	7,900.00	Item 3 DM 5130.476	Mach. parts and supplies
tem 4 S 5142.170	Snow Labor	120,000.00	Item 3 DM 5130.170	Mach. Labor
tem 4 S 9040.813	Work. Comp.	8,700. 00	Item 4 DS 5140.170	Labor
tem 4 S 5142.170	Labor - Snow	20,000.00	Item 4 DS 5140.173	labor ditches
tem 4 S 9010.810	State Retirement	2,000.00	Item 4 DS 5140.407	Uniform replacement
4 010.810	STate Retirement	3,000.00	Item 4 DS 5140.419	Misc. Supplies
a 4 S 5140	Surplus	29,000.00	Item 4 DS 5142.402	Snow supplies

Alfred F Wnek

Signature

Alfred F. Wnek, Supt. of Highways

Explanation insufficient funds in various item accounts

No. 24

No. 25

Item No. 32 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

BE IT RESOLVED that the following vouchers and warrants submitted to the TOWN OF CHEEKTOWAGA prior to September 15th, 1980 are hereby approved and the Supervisor is ordered to pay same.

FUND	CHECK NO. FROM	TO	AMOUNT
GENERAL FUND	16715	16900	$ 69,075.66
SPECIAL DISTRICT FUND	7649	7699	42,926.76
FEDERAL REVENUE SHARING FUND	552	563	3,461.33
CAPITAL FUND	365	370	328,094.39
PART TOWN FUND	285	286	41.95
H.U.D. - C.D.B.G. FUND	254	263	258,270.78
HIGHWAY FUND	5748	5781	33,822.85
			$735,693.72

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 34 Cheektowaga Library Board - Minutes of meeting of June, 1980
This item was Received and Filed.

Item No. 35 Health report for August, 1980
This item was Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 36 N.Y.S. Dept. of Trans. - Notice of Order regarding parking restriction on Walden Avenue

Copies were sent to: Supervisor Kenneth J. Meyers; Council Office Secretary; Captain Kempski, Police Department; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 37 NOTICE OF CLAIM - Bronislaus Lis vs Town of Cheektowaga

Copies were sent to: Supervisor Kenneth J. Meyers; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company; Chief of Police, T. DeFedericis.
Received and Filed.

NO. 24 NO. 25

Item No. 38 NOTICE OF CLAIM - Amy Milley, by her father, Stephen Milley vs Town of Cheektowaga

Copies were sent to: Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company; James Kirisits, Town Attorney (Supervisor Kenneth J. Meyers had received copy of Notice prior to it being received in the Town Clerk's Office.)
Received and Filed.

Item No. 39 NOTICE OF CLAIM - Henry & Mary Zubrzycki vs Town of Cheektowaga

Copies were sent to: Alfred Wnek, Highway Superintendent; E.T. Clauss, Insurance Company; James Kirisits, Town Attorney (Supervisor Kenneth J. Meyers had received copy of Notice prior to it being received in the Town Clerk's Office as per his secretary).
Received and Filed.

Item No. 40 NOTICE OF HEARING - Grace Barone vs Town of Cheektowaga

Copies were sent to: Supervisor Kenneth J. Meyers; Alfred Wnek, Highway Superintendent; James Kirisits, Town Attorney; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 41 SUMMONS & COMPLAINT - Dan Szczerba vs Town of Cheektowaga

Copies were sent to: Kenneth J. Meyers, Supervisor; James Kirisits, Town Attorney; T. DeFedericis, Chief of Police; E.T. Clauss, Insurance Company.
Received and Filed.

Item No. 42 Letter from Mattar, D'Agostino, Kogler & Runfola, Attorneys & Counsellors at Law regarding Cedargrove Heights, Community Development Area

Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; James Kirisits, Town Attorney; Ron Marten, Building and Plumbing Inspector.
Received and Filed.

Item No. 43 Petition from residents of Lindbergh Ct., Central Blvd., etc. regarding Used Car Lot & Collision Shop at 50 Rosewood

Copies were sent to: Kenneth J. Meyers, Supervisor; Council Secretary; Ron Marten, Building and Plumbing Inspector.
Received and Filed.

VI. SUSPENSION OF RULES

Motion by Councilman Burst, seconded by Councilman Rogowski to suspend the rules to include the following items.

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

Item No. 44 Reappointment to Planning Commission

Motion by Councilman Rogowski, seconded by Councilman Johnson

BE IT RESOLVED that Theodore Doktor, , Cheektowaga

No. 24 No. 25

Item No. 44 cont'd

New York, be and hereby is reappointed to the Cheektowaga Planning Commission, retroactive to August 20, 1980, said term to expire August 20, 1987.

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

Item No. 45 Award of bid for Football helmets

Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the purchase of football helemts for use in the Cheektowaga Recreation Department, as a result of advertisement therefor, and such bids were referred to the Director of Recreation for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to the lowest responsible bidder meeting specification as follows:

Laux Sporting Goods
441 Broadway
Buffalo, New York

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

Item No. 46 Notice to Bidders for Stage I, Phase II of Cedargrove Heights Neighborhood Improvement Program

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 the Stage I, Phase II Program, which is to include repaving, concrete curbing and drainage improvement of the section of Cedargrove Circle extending from Simpson Drive to Shelby Drive, with some similar work on the interior courts, said improvements will significantly improve the character and quality of the area, and

WHEREAS, the Town Engineer advised the Town Board that plans and specifications are ready for Stage I, Phase II, of the Cedargrove Heights Neighborhood Improvement Program, 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 Stage I, Phase II construction, notice to be published in the BUFFALO EVENING NEWS, COURIER EXPRESS, BUFFALO CRITERION and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Clerk obtain certified copies of the publications of said Notice to Bidders from each newspaper, and BE IT FURTHER

RESOLVED that this Town Board will meet on the 6th day of October, 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.

* *

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 6th day of October, 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 resurfacing of streets and related work, constituting Stage I, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project and approved by the Town Board of the Town of Cheektowaga, all of which 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 Cedargrove Heights, Neighborhood Improvement Program, Stage I, Phase II."

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 bidders 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 323 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.

Item No. 46 cont'd

TOWN OF CHEEKTOWAGA, NEW YORK
RICHARD M. MOLESKI, TOWN CLERK

DATED: September 3, 1980

PUBLISHED: September 18, 1980

* *

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

AFFIDAVITS - NEXT PAGE

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

Gladys M. Fechter, of the town of Cheektowaga, in said County of Erie, being duly sworn, deposes and says that he (she) is Clerk of the Cheektowaga Times, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip, taken from said newspaper is a copy, was inserted and published in said paper once a week for 1 weeks: first publication September 18, 1980; last publication September 18, 1980; and that no more than six days intervened between publications.

Gladys M. Fechter

Sworn to before me this 19th

day of September, 1980

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

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 6th day of October, 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 resurfacing of streets and related work, constituting Stage I, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which 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 Cedargrove Heights, Neighborhood Improvement Program, Stage 1, Phase II".

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 bidders 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.

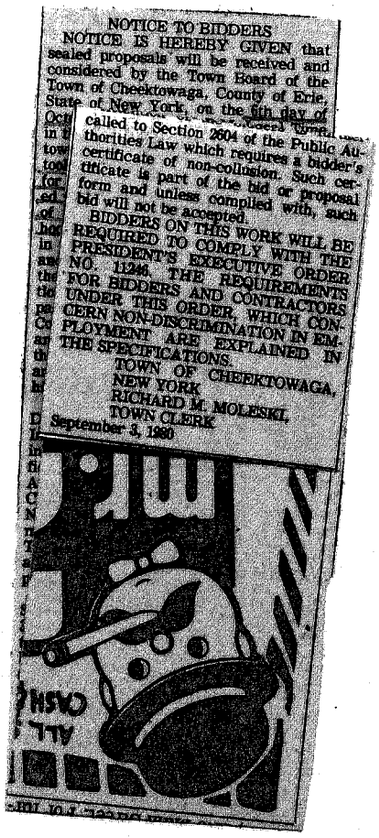
This contract shall be completed no later than 323 consecutive calendar days from the date of the Notice to Proceed.

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: September 3, 1980
PUBLISHED: September 18, 1980

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 5th day of Oct[illegible] 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

September 3, 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 ~~a week for [illegible] weeks, the first~~ insertion being on the 18th day of September 19 80 ~~and the last insertion being on the [illegible] day of [illegible] 19[illegible]~~

D. Eileen Perry

Sworn to before me this 19th day of September 19 80

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Notary Public, Erie County, N. Y.

State of New York

ERIE COUNTY
CITY OF BUFFALO } ss.

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 ~~a week for xxxxxxxxxx xxxx xx xxx~~ weeks, the first insertion being on the 18th day of September 19 80 ~~and the last insertion being on the xxxxx day of xxxxxxxxxx~~

D. Eileen Perry

Sworn to before me this 19th day of September 19 80

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Notary Public, Erie County, N. Y.

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 6th day of October, 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 resurfacing of streets and related work, constituting Stage I, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which 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 of the amount of the deposit, shall be made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedargrove Heights, Neighborhood Improvement Program, Stage I, Phase II."

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 bidders 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 223 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2881 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.

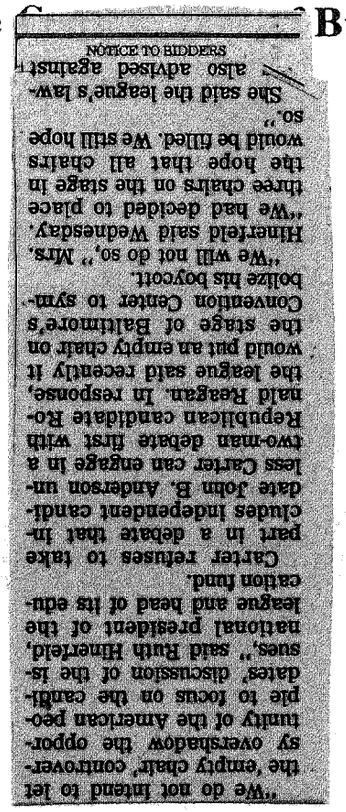
BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER, WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

TOWN OF CHEEKTOWAGA, NEW YORK
RICHARD M. MOLESKI,
TOWN CLERK

September 3, 1980

STATE OF NEW YORK

Erie [redacted] Buffalo, } ss.


NOTICE TO BIDDERS

also advised against

She said the league's law-

so."

would be filled. We still hope

the hope that all chairs

three chairs on the stage in

"We had decided to place

Hinerfeld said Wednesday,

"We will not do so," Mrs.

bolize his boycott.

Convention Center to sym-

the stage of Baltimore's

would put an empty chair on

the league said recently it

nald Reagan. In response,

Republican candidate Ro-

two-man debate first with

less Carter can engage in a

date John B. Anderson un-

cludes independent candi-

part in a debate that in-

Carter refuses to take

cation fund.

league and head of its edu-

national president of the

sues," said Ruth Hinerfeld,

dates' discussion of the is-

pe to focus on the candi-

tunity of the American peo-

sy overshadow the oppor-

the 'empty chair' controver-

"We do not intend to let

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 18 day of September 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 25 day of September 19 80.

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 19 82

Mary Lou Troy

Notary Public, Erie County, N.Y.

STATE OF NEW YORK

Erie County } ss.

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 6th day of October, 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 resurfacing of streets and related work, constituting Stage I, Phase II of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which 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 14227, and marked as "Proposal for the Cedargrove Heights, Neighborhood Improvement Program, Stage I, Phase II".

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 surveties 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 on later than 125 consecutive calendar days from the date of the Notice to Proceed.

Attention of the bidders is further called to Section 2814 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: September 4, 1980

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 18 day of September 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 ... by

MARY LOU TROY
Notary Public, State of New York
Qualified in Erie County
Commission Expires March 30, 19 82

of ... $

Troy

y, 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 therein once a week for one weeks, the first insertion being on the 17th day of Sept., 1980 and the last insertion being on the ..... day of .....

19.....

Frank E. Merriweather

FRANK E. MERRIWEATHER

(Affidavit of Publication)

Sworn to before me this 19th **day of**

Sept., 19 80

NOTARY PUBLIC, No.

ARTHUR K. POSLUSZNY
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 6th day of October, 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 resurfacing of streets and related work, constituting Stage I, Phase II, of the Cedargrove Heights, Neighborhood Improvement Program, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which 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 Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Cedargrove Heights, Neighborhood Improvement Program, Stage I, Phase II".

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 bidders 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 323 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: September 3, 1980

PUBLISHED: September 18, 1980

No. 24

No. 25

Item No. 47 Motion by Supervisor Meyers, seconded by Councilman Wegner

WHEREAS, the New York State Assessor's Association is having its annual conference at Kutscher's, Monticello, New York, October 7th thru October 10th, 1980, and

WHEREAS, Andrew Schwenk, Sole Assessor, would request authorization to attend said conference, NOW, THEREFORE, BE IT

RESOLVED that said conference will not exceed two hundred twenty ($220.00) dollars for conference and travel expenses, which necessary cost will be reimbursed by the Town.

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

Item No. 48 Motion by Councilman Wegner, seconded by Supervisor Meyers

WHEREAS, residents in Sanitary Sewer District #7 tributary to North Creek Drive, South Creek Drive, Zoerb Avenue and Goering Avenue are affected by overloaded sanitary sewers during storm periods, and

WHEREAS, plans and specifications have been prepared for the construction of the North Creek Sanitary Sewer Extension, which construction would provide relief to the aforementioned sanitary sewers, and eliminate the need for the by-pass of untreated wastes into Scajaquada Creek at Ellsworth Drive, and

WHEREAS, Sanitary Sewer District #7 funds are available for the construction of said North Creek Sanitary Sewer Extension, and

WHEREAS, owners of properties along said sewer construction route have agreed to provide the Town with the required easements in a spirit of cooperation, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer and Town Attorney are directed to obtain the necessary easements, and BE IT FURTHER

RESOLVED that the Town Clerk is directed to publish a Notice to Bidders in connection with said North Creek sanitary sewer construction, notice to be published in the BUFFALO EVENING NEWS and the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that the Town Board meet on the 6th day of October, 7:00 P.M., Local Time, for the purpose of receiving bids at which time they will be 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

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 6th day of October, 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 a sanitary sewer along North Creek Drive from Ellsworth to Union, Sanitary Sewer District No. 7 - Phase II, including manholes, and related work, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said Project, and approved by the Town Board of the Town of Cheektowaga, all of which 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 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 a Santiary Sewer in North Creek Drive, Sanitary Sewer District No. 7 - Phase II."

The right to reject any and all bids, to waive any informalities in, or to make an award to other than the low bidder, should it be deemed to be in the best interest of the Town of Cheektowaga, and in accordance with law, are herewith reserved.

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and they 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.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes of the State of New York and cities and counties of the State on all materials where are to be incorporated into the sewer system, pursuant to hte provisions of the Contract. <u>These Taxes are not to be included in the bid.</u>

The work shall be completed within 150 consecutive calendar days, which would begin five days after the "Order to Commence Work" is issued.

TOWN OF CHEKEOTWAGA, NEW YORK
RICHARD M. MOLESKI, TOWN CLERK

DATED: September 15, 1980

PUBLISHED: September 18, 1980

* * * * * * * * * * * * * * * * * * * *

Item No. 48 cont'd

Upon Roll Call....

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

AFFIDAVITS - 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 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 September 18, 1980; last publication September 18, 1980; and that no more than six days intervened between publications.

Gladys M. Sechter

Sworn to before me this 19th

day of September, 1980

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

No. 24

No. 25

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 6th day of October, 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 a sanitary sewer along North Creek Drive from Ellsworth to Union. Sanitary Sewer District No. 7 — Phase II, including manholes, and related work, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said Project, and approved by the Town Board of the Town of Cheektowaga, all of which 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 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 a Sanitary Sewer in North Creek Drive, Sanitary Sewer District No. 7 — Phase II."

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 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 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.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes of the State of New York and cities and counties of the State on all materials where are to be incorporated into the sewer system, pursuant to the provisions of the Contract. These Taxes are not to be included in the bid.

The work shall be completed within 150 consecutive calendar days, which would begin five days after the "Order to Commence Work" is issued.

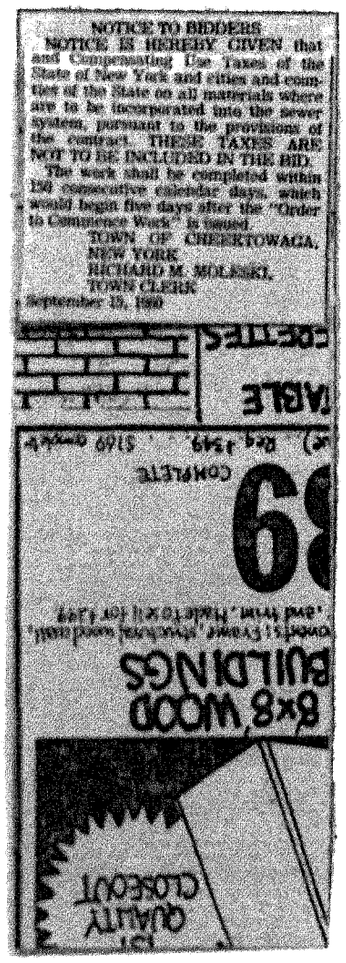
TOWN OF CHEEKTOWAGA, NEW YORK
RICHARD M. MOLESKI,
TOWN CLERK

DATED: September 15, 1980
PUBLISHED: September 18, 1980

No. 24

No. 25

State of New York
EERIE COUNTY
CITY OF BUFFALO } ss.



NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN that and Compensating Use Taxes of the State of New York and cities and counties of the State on all materials where are to be incorporated into the sewer system, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.
The work shall be completed within 150 consecutive calendar days, which would begin five days after the "Order to Commence Work" is issued.
TOWN OF CHEEKTOWAGA, NEW YORK
RICHARD M. MOLESKI,
TOWN CLERK
September 18, 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 a week for ~~xxxxxxxxxxxxx~~ ~~xxxxxxxx~~ weeks, the first insertion being on the 18th day of September 19 80 and ~~the last~~ ~~insertion being on the xxxxxxxxx day of xxxxxxxxxxx~~

D. Eileen Perry

Sworn to before me this 19th day of September 19 80

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Notary Public, Erie County, N. Y.

State of New York
ERIE COUNTY
CITY OF BUFFALO } ss.

D. Eileen Perry

f Buffalo, New York, being duly sworn,

says that She is Principal Clerk

FALO EVENING NEWS, INC.,

the BUFFALO EVENING NEWS, a

ublished in said city, that the notice of

nnexed printed slip taken from said

a copy, was inserted and published

ice ~~a week for~~

t insertion being on the 18th

ptember 19 80 ~~and the last~~

~~day of~~

D. Eileen Perry

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 6th day of October, 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 a sanitary sewer along North Creek Drive from Ellsworth to Union Sanitary Sewer District No. 7 — Phase II, including manholes, and related work, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clark, 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 & Clark, Inc. upon payment of $50.00 per set of documents. Two 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 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 a Sanitary Sewer in North Creek Drive, Sanitary Sewer District No. 7 — Phase II."

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 the sum equal to ten percent (10%) of the amount of the bid, payable to the order of the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York, in a sum equal to ten percent (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

No bidder may withdraw his bid within 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 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 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.

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes of the State of New York and cities and counties of the State on all materials where are to be incorporated into the sewer system, pursuant to the provisions of the contract. THESE TAXES ARE NOT TO BE INCLUDED IN THE BID.

The work shall be completed within 150 consecutive calendar days, which would begin five days after the "Order to Commence Work" is issued.

TOWN OF CHEEKTOWAGA,
NEW YORK
RICHARD M. MOLESKI,
TOWN CLERK
September 15, 1980

Sw 19th day

of er 19 80

Francis X. Vollmer Jr.

FRANCIS X. VOLLMER JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 19 81

Notary Public, Erie County, N. Y.

No. 24

No. 25

Item No. 49 Motion by Councilman Dux, seconded by Councilman Rogowski to adjourn the meeting until September 30, 1980 at 4:00 P.M.

RICHARD M. MOLESKI
Town Clerk

MEETING NO. 24

CHEEKTOWAGA, NEW YORK
September 30, 1980

Item No. 1 At a regular adjourned meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 30th day of September, 1980 at 4:00 o'clock P.M., Eastern Daylight Saving Time, there were:

PRESENT: Supervisor Kenneth J. Meyers
Councilman Thomas M. Johnson
Councilman Frank J. Dux
Councilman James R. Burst
Councilman William P. Rogowski

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

Also present were: Richard M. Moleski, Town Clerk; Jim Matecki, Director of Facilities Department; Alfred Wnek, Highway Superintendent.

I. RESOLUTIONS

Item No. 2 Motion by Councilman Rogowski, seconded by Councilman Dux

WHEREAS, the Cheektowaga Sanitation Department has four (4) vacancies in the Laborer job classification, and

WHEREAS, said vacancies have been duly posted for bid in the various Town Departments as per the Collective Bargaining Agreement, NOW, THEREFORE, BE IT

RESOLVED that the following listed individuals are hereby appointed to the position of Laborer in the Sanitation Department effective immediately.

Name	Residence	Telephone No.
1. Harold J. Campbell		
2. Ronald Wdowik		
3. Anthony S. Pajak, Jr.		
4. Leonard Dux		

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

Item No. 3 Motion by Councilman Burst, seconded by Councilman Johnson

WHEREAS, a vacancy exists in the Cheektowaga Facilities Department on the third shift; scheduled days of work, Monday, Tuesday, Wednesday, Thursday and Sunday, NOW, THEREFORE, BE IT

RESOLVED that Ronald Lease of is hereby appointed to the position of General Mechanic in the Cheektowaga Facilities Department effective immediately.

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

Item No. 4 Motion by Councilman Rogowski, seconded by Councilman Dux to adjourn the meeting until October 6, 1980 at 7:00 o'clock P.M.

RICHARD M. MOLESKI
Town Clerk

No. 24
No. 25